



COURT REPORTERS BOARD OF CALIFORNIA

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MEETING OF THE COURT REPORTERS BOARD

Friday, March 29, 2013
10:30 a.m.

Westin Los Angeles Airport
5400 West Century Boulevard
Lindbergh Ballroom
Los Angeles, CA 90045

AGENDA

Board Members: Toni O'Neill, Chair; Reagan Evans; Davina Hurt; and Elizabeth Lasensky

CALL TO ORDER –Toni O'Neill, Chair

ROLL CALL AND ESTABLISHMENT OF A QUORUM

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| I. <u>INTRODUCTION OF NEW BOARD MEMBER, DAVINA HURT</u> | 3 |
| II. <u>MINUTES OF OCTOBER 12, 2012 MEETING</u> (Possible Action) | 4 |
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| IV. <u>REPORT OF THE EXECUTIVE OFFICER</u> | 20 |
| A. CRB Budget Report
B. Transcript Reimbursement Fund
C. Exam
D. School Updates
E. CRB Today Newsletter, Spring 2013
F. BreEZe | |
| V. <u>ENFORCEMENT REPORT</u> | 27 |
| VI. <u>STRATEGIC PLAN UPDATE</u> (Possible Action)..... | 30 |
| VII. <u>CONSIDERATION OF RECOGNITION OF TAFT COLLEGE AT WESTEC COURT REPORTING PROGRAM</u> | 33 |
| Discussion and possible action. | |

VIII.	<u>REPORT ON LEGISLATION (Possible Action)</u>	35
	SB 46 (Corbett), SB 123 (Corbett), SB 176 (Galgiani), SB 315 (Lieu), SB 417 (Berryhill), SB 705 (Block), AB 186 (Maienschein), AB 251 (Wagner), AB 291 (Nestande), AB 365 (Mullin), AB 376 (Donnelly), AB 555 (Salas), AB 566 (Wieckowski), AB 648 (Jones-Sawyer), AB 655 (Quirk-Silva), AB 679 (Fox), AB 771 (Jones), AB 772 (Jones), AB 788 (Wagner), AB 866 (Linder), AB 868 (Ammianao), AB 894 (Mansoor), AB 1017 (Gomez) And other bills later discovered which are relevant to the Board's mission	
IX.	<u>UPDATE ON GIFT GIVING REGULATIONS (Possible Action)</u>	54
	California Code of Regulations, Title 16, Section 2475 (a)(8)	
X.	<u>SCOPE OF PRACTICE REGULATION (Possible Action)</u>	58
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XIII.	<u>CLOSED SESSION</u>	63
	Personnel Matters, Disciplinary Matters, and Pending Litigation (As Needed) [Pursuant to Government Code sections 11126(a) and 11126(e)(2)(A)] A. Executive Officer	
XIV.	<u>ADJOURNMENT</u>	

Action may be taken on any item on the agenda. All times are approximate and subject to change. The meeting may be canceled or the ending time shortened without notice. For further information or verification of the meeting, call Paula Bruning at (877) 327-5272, email to paula.bruning@dca.ca.gov, write to Court Reporters Board, 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833, or access the Board's web site at www.courtreportersboard.ca.gov.

The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting may make a request by contacting Paula Bruning at (877) 327-5272 or emailing paula.bruning@dca.ca.gov or sending a written request to 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation. Requests for further information should be directed to Yvonne Fenner at the same address and telephone number. If any member of the public wants to receive a copy of the supporting documents for the items on the agenda, please contact the Board within 10 days of the meeting. Otherwise, the documents, if any, will be available at the meeting.

The public can participate in the discussion of any item on this agenda. Before speaking to the Board, please give your name and the name of the organization you represent, if any. Please respect time limits. Be aware, the Board CANNOT discuss any item not listed on this page.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM I – Introduction of New Board Member, Davina Hurt

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Agenda Description: New Board Member.

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Brief Summary:

Speaker John A. Perez (D-Los Angeles) on February 26, 2013, appointed Davina Hurt to the five-member Court Reporters Board.

Attorney Davina Hurt has practiced law in California since 2005. Ms. Hurt has a general law practice, handling both civil and criminal cases with a focus on property and securities law. She earned her J.D. at Santa Clara University School of Law and has a B.A. from Baylor University in Waco, Texas. She is a member of the California Bar, Charles Houston Bar Association, Democratic Volunteer Center, Peninsula Swiss Club (Publication Editor), Belmont Chamber of Commerce Board of Directors, ABA- Government and Public Sector Lawyers Division, California Minority Counsel Program, and the City of Belmont High Speed Rail and Downtown Belmont Villages Committee.

Prior to growing a successful practice, Ms. Hurt was deeply involved in human rights, community justice, and environmental law. After studying at the University of Strasbourg, she drafted documents for the International Criminal Tribunal for Rwanda and worked for Bay Area Legal Aid in their emerging anti-predatory lending practice. Ms. Hurt served as a judicial extern for the Honorable Judge James Ware of the United States District Court of the Northern District of California and worked for Milberg, Weiss, Bershad, Hynes, and Lerach LLP on such notable securities and anti-trust cases as Enron, Bush Administrations Cross Border Trucking, and San Francisco Guns.

Ms. Hurt's term runs through June 1, 2015.

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Report Originator: Yvonne Fenner, 3/13/2013

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Recommended Board Action: Informational.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM II – Minutes of October 12, 2012 Meeting

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Agenda Description: Review and approval of minutes.

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Brief Summary:

Minutes from October 12, 2012 meeting in Sacramento

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Support Documents:

Attachment – Draft minutes.

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Fiscal Impact: None

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Report Originator: Paula Bruning, 3/7/2013

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Recommended Board Action: Approve minutes.



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COURT REPORTERS BOARD OF CALIFORNIA MINUTES OF OPEN SESSION OCTOBER 12, 2012

Attachment
Agenda Item II

DRAFT

CALL TO ORDER

Ms. Toni O'Neill, Chair, called the meeting to order at 3:04 p.m. at the Department of Consumer Affairs, 1747 North Market Boulevard, 1st Floor Hearing Room, Sacramento, California.

ROLL CALL

Board Members Present:

Toni O'Neill, Licensee Member, Chair
Gregory Finch, Public Member, Vice Chair
Reagan Evans, Licensee Member
Elizabeth Lasensky, Public Member

Staff Members Present:

Yvonne K. Fenner, Executive Officer
Dianne R. Dobbs, Senior Staff Counsel
Angelique Scott, Staff Counsel
Paula Bruning, Executive Analyst
Connie Conkle, Enforcement Analyst

A quorum was established, and the meeting continued.

Ms. O'Neill reminded the audience to approach the designated table to make public comment and speak clearly so as to be heard by all in attendance as well as by those viewing the meeting by webcast.

I. MINUTES OF THE APRIL 27, 2012 MEETING

Ms. Lasensky requested the removal of the word "the" in the third line of the third paragraph from the bottom of page 5 of the minutes. She also requested that the word "Boards" be made possessive in the first line of the third paragraph on page 6 of the minutes.

Ms. Dobbs requested the following two changes to page 3 of the minutes: 1) Replace "but" with "with" and remove the word "are" in the third line of the second paragraph; and 2) add the phrase, "If the exams were to be held at a school," to the beginning of the third sentence in the fifth paragraph.

Ms. Evans requested a correction to the spelling of the word "extension" in the title of Agenda Item VI on page 5 of the minutes.

Mr. Finch moved to approve the minutes as corrected. Second by Ms. Evans. **MOTION CARRIED.**

II. BOARD AND STAFF APPEARANCES

Ms. Lasensky and Mr. Finch indicated that they have had discussions with staff.

Ms. O'Neill indicated that she attended the California Court Reporters Association (CCRA) convention the previous weekend. Although she was not in her official capacity as a Board member, she fielded many questions that pertained to the Board. As part of her duties with the board of directors of the National Court Reporters Association (NCRA), she visited state association meetings in Tennessee in May and Kansas in June, as well as the NCRA convention in Pennsylvania in August and a meeting in Wyoming in September. She noted how effective some of the smaller states are in their legislative efforts.

Ms. O'Neill reported that NCRA has the Technology Evaluation Committee, which assesses the pros and cons of the technology on the horizon. Currently the committee is reviewing the paperless environment issue, which freelance reporters are already experiencing. More courts are also going to a paperless environment; however, the budget-driven motive for going paperless has caused a need to react to issues that were not foreseen. Ms. O'Neill indicated that she pays close attention to the frequent updates sent out by the committee since their information may be a forecast of what will happen in California.

Ms. Evans shared that she also attended the CCRA convention over the past weekend. In June, she attended the Deposition Reporters Association (DRA) seminar. She will provide a Taking Realtime Awareness and Innovation Nationwide (TRAIN) presentation on Saturday, October 20, 2012. TRAIN is a program established by the NCRA. She mentioned that she has also communicated with staff and processed enforcement matters through the mail since the last meeting.

Ms. Fenner stated that in June she utilized her own funds to attend several events, including the DRA seminar in Burbank to head off enforcement issues regarding privatization of the courts. She added that she and Ms. Bruning staffed a booth at the non-profit resources fair at the Pathways to Justice Conference in San Francisco to provide outreach for the Transcript Reimbursement Fund. She reported that she provided a presentation for Sage College court reporting program, for which her travel was sponsored by the school. She and Ms. Bruning also attended the Reporters Association of Public Schools meeting in June, wherein a representative of the Chancellor's Office added to the members' discussion and understanding of problems surrounding repeatability of classes.

Ms. Fenner indicated that she participated in a CCRA webinar in July, which gave her hope for the Board's use of the same technology for future outreach. Ms. Fenner also attended an advisory meeting for the Argonaut Court Reporting Program in August.

Ms. Fenner shared that Ms. Bruning was one of the first four graduates of the Analyst Certification Training – a Department of Consumer Affairs (DCA) program designed to build analytical skills over a series of six classes and included a final oral presentation.

III. REPORT OF THE EXECUTIVE OFFICER

A. CRB Budget Report

Ms. Fenner referred to the final 2011/12 fiscal year Budget Report on page 13 of the Board agenda packet. She then focused on the overall health of the fund on the Analysis of Fund Condition report on page 14 and the TRF Fund Condition on page 15.

B. Transcript Reimbursement Fund

Ms. Bruning reported that the Transcript Reimbursement Fund (TRF) 2011/12 fiscal year finished strong with over \$240,000 in payments on behalf of indigent litigants represented by pro bono attorneys. She indicated that \$96,000 has already been paid out in the current fiscal year.

Ms. Bruning indicated that the Pro Per Fund has been extended to January 1, 2017, as part of the sunset bill. The \$30,000 limit was fully allocated for 2012 after reviewing an application received April 2, 2012. There are already 72 acceptable applications which were received over the last six months, totaling over \$31,000, that are waiting for funding which will be available January 1, 2013. She added that all applications have been reviewed, and deficient or unacceptable applications have been returned.

Ms. O'Neill inquired if language could be developed to speed up the billing process from court reporters to the TRF. Ms. Bruning responded that funding is provisionally approved pending a final invoice from the court reporter after the transcript is prepared. Since the court system can sometimes cause a delay in the production of the transcript, such as ordering the transcript on appeal, timelines can be hard to predict. Therefore, staff doesn't have any control over how long it may take for a court reporter to bill.

C. Sunset Review

Ms. Fenner reported that the sunset bill (SB 1236) was chaptered, which extends the Board, the TRF, and the Pro Per Fund to January 1, 2017. Since an extension of the Pro Per Fund, formerly known as the Pro Per Pilot Project, was expected to cause a fiscal and workload impact on the Board, staff submitted a Budget Change Proposal (BCP) to the Department of Finance requesting a half-time Staff Services Analyst position. Ms. Fenner indicated that she is still awaiting a response regarding the BCP.

D. Exam

Ms. Fenner reported that the next CSR dictation examination is scheduled for November 2, 2012, in Sacramento at the DoubleTree Hotel. There is an expected 145 candidates, 40 of whom are taking the exam for the first time. This is a large examination for the Board, especially in Sacramento. Mr. Finch inquired if the increase in examination candidates was an indication of any trend. Ms. Fenner reported that the schools have reported an increase in enrollment; however, the

industry is in flux with the layoffs in the courts. The demand for court reporters is not going away, but the delivery of the service is changing. Since the court reporting program takes some time to complete, the industry needs of a few years ago may have spurred some students to enroll who are just now to the point of taking the examination.

E. Exam Workshops

Ms. Fenner indicated that there were fewer examination development workshops this year due to the budget, which will continue to next year. There are still enough workshops to provide questions and validate the examinations three times each for the next year.

Ms. O'Neill inquired if the same constraints continue, if the Board will be able to continue to offer the examination three times each year. Ms. Fenner responded that the current setback is finding a venue in Southern California that will contract with the Board for the dictation examination. The hotel that has been used for many years is under new management and will not sign a contract more than 60 days from the event date due to the small size of the group. Staff is working with the DCA Budgets Office to find a state location. Ms. Fenner added that additional services would still be needed, such as electrical connections, security, and tables. Staff also continues to seek out hotels and brainstorm ideas for making the examination schedule viable.

F. School Updates

Ms. Bruning stated that staff initiated Phase I of the school oversight reviews by sending out requests for information to all the Board's recognized court reporting programs. The response date deadline was October 1, 2012, with many of the schools meeting that timeline and a few requesting extensions. The Phase I process includes a request of information from the schools to be reviewed by staff at the Board office.

Phase II, the on-site component of the school oversight, will be conducted as budget and travel restrictions allow in the coming years. Ms. Fenner added that in the last week DCA delegated some travel approval back to the boards and bureaus under certain criteria without having to go through the Department. Since school oversight is mission critical and mandated, the Board can approve travel for that as budget constraints allow.

G. CRB Today Newsletter, Fall 2012

Ms. Bruning referred to the latest edition of the CRB Today newsletter, which was made available at the meeting. The publication has been sent to the Internet team for electronic distribution.

Mr. Finch complimented the quality of the Frequently Asked Questions, which he finds on point.

H. BreEZe

Ms. Fenner stated that the implementation of BreEZe will include a revision to the renewal forms, which licensees will be able to complete online. It is hoped that the information being inputted will be easier for staff to read, including licensees' e-mail addresses. The e-mail addresses will be used to disseminate Board updates and newsletters electronically.

Ms. Fenner indicated that the Board has been moved from the third wave to the second wave of implementation in the BreEZe project, which is projected to take place in the spring of 2013. Many smaller boards were moved from the third to the second wave in an effort to even out the workflow. The first wave is being rolled out and is at the data conversion stage with issues being hammered out. Staff is seeing a lot of work upfront, but they are foreseeing the time-saving benefits coming in the near future.

IV. ENFORCEMENT REPORT

Ms. Conkle reported that as part of the Consumer Protection Enforcement Initiative, DCA continues to request each board provide monthly statistical information regarding enforcement activities. She referred to final fiscal year 2011/12 Enforcement Report on page 17 of the Board agenda packet, as well as the first quarter report for the current fiscal year on page 18. Ms. Evans noted that the number of complaints received in the first quarter of this year were significantly higher than in the same time period the previous year. Ms. Conkle commented that she was conducting more note reviews and was corresponding with incarcerated individuals more often. Ms. Fenner noted that a rumor had been circulating through the prison population that the Court Reporters Board will re-transcribe trial transcripts if a complaint is filed.

Ms. Lasensky complimented Ms. Conkle on the statistical reports and the enforcement matters that are sent to the Board members for review. Ms. O'Neill joined in, adding that the disciplinary packets are very clear and organized, which allows for a quick review.

Ms. Conkle shared that she can now refer cases to the Attorney General's office again since the beginning of the new fiscal year signals a refreshed funding allowance for their expenses.

V. UPDATE ON GIFT GIVING REGULATIONS

California Code of Regulations, Title 16, Section 2475 (a)(8) (sic)

Ms. Fenner reported that staff held a public hearing on October 1, 2012, regarding the proposed amendments to Section 2475. The written comments received were included in the Board agenda packet, and the proposed changes were incorporated into the language being presented to the Board on pages 21 and 22. The changes to the language under consideration are significant enough to require a 15-day public comment period.

Ed Howard, on behalf of DRA, expressed concerns with the changes that were made as a result of the public comment period. He suggested that the language be brought in line

with the ruling of the Court in the US Legal decision. Corporations that are not owned by licensees can in fact be providers of shorthand reporting services. Mr. Howard's suggested additions to subdivision (b) are in bold:

(b) Every person under the jurisdiction of the Board who holds a license or certificate or temporary license or certificate or a business that renders professional services, namely **shorthand reporting services**, within the meaning of Corporations Code section 13401 shall comply with the following professional standards of practice:

Moving on to subsection (b)(8), Mr. Howard indicated that he sees two problems with the first change to the language presented in the Board agenda packet. First, the addition of "by any reporter or any entity providing the reporting services of a licensed shorthand reporter" may cause confusion since it is redundant to subsection (b) where the definition is laid out for all eight provisions under subsection (b). In addition, the introduction of the term "licensed shorthand reporter" is different than the wording which describes licensees under subdivision (b). Therefore, Mr. Howard suggested the language in the first sentence of (b)(8) be reverted back to "for reporting services."

In the fourth line of subsection (b)(8), Mr. Howard objected to the addition of "and/or any entity providing reporting services." He reasoned that it may introduce a new element to the professional standards of care. He added that the aim of the regulation is to preserve the impartiality of the profession, not to regulate things such as the exchange of birthday gifts between firm owners and reporters, for example.

Mr. Howard indicated that DRA supports the concept of adding family members of attorneys to the language, but suggested minor changes to the wording so that it reads more clearly. He also added the concept of family members to that of employees of attorneys. He suggested the deletion of "attorneys of law firms," stating that it is redundant and confusing.

Skipping to the latter part of subsection (b)(8), Mr. Howard indicated that they would mirror the preceding language by adding family members of both attorneys and their employees. In addition, he requested the deletion of "a law firm" because that is handled in the phrase "a law firm as a single recipient."

Mr. Howard offered to present his comments in writing for the Board's records. His suggested additions to subdivision (b)(8) are in bold, and his suggested deletions are in double strikethrough:

(8) Other than the receipt of compensation for ~~reporting services~~ **for reporting services**, ~~by any reporter or any entity providing the reporting services of a licensed shorthand reporter~~, neither directly or indirectly give nor receive any gift, incentive, reward, or anything of value to or from any person or entity associated with a proceeding being reported ~~and/or any entity providing reporting services~~. Such persons or entities shall include, but are not limited to, attorneys **or an attorney's family members**, employees of attorneys **or an employee's family members**, ~~family members of attorneys~~, law firms as single recipients, ~~attorneys of law firms~~, clients, witnesses, insurers, underwriters, or any agents or representatives thereof. Exceptions to the foregoing restriction shall be as follows: (A) giving or receiving items that do not exceed \$100 (in the aggregate for any combination of items given and/or received) ~~per above-described person or entity per~~

calendar year to or from an attorney or an attorney's family members, a law firm, a law firm as a single recipient, an employee of an attorney or an employee's family members, a family member of an attorney, a client, a witness, an insurer, an underwriter, or any agent or representative thereof; or (B) providing services without charge for which the certified shorthand reporter reasonably expects to be reimbursed from the Transcript Reimbursement Fund, Sections 8030 et seq. of the Code, or otherwise for an "indigent person" as defined in Section 8030.4(f) of the Code.

Mr. Howard indicated that one letter received by the Board during the public comment period requested that as part of the rulemaking proceedings, the Board confirm it has jurisdiction over corporations. He objected to the request since making legal conclusions is not a proper part of the regulatory proceeding. He added that the Board has already taken the matter to court in an effort to exercise its jurisdiction, thereby confirming its belief that it has jurisdiction.

He indicated that he and his client are confused by the Informative Digest and will include an explanation in their written comments. Mr. Howard thanked the Board for working so diligently on DRA's petition for rulemaking.

Ms. O'Neill inquired if the Board needed to approve language that day. Ms. Fenner responded that staff could not go forward with the regulatory process until the Board approves language. She indicated that staff could wordsmith the proposed language and bring it back to the next Board meeting, which would likely be in the spring.

Ms. O'Neill welcomed further discussion from the Board members and comments from the public. After hearing none, she indicated that she would like to see the proposed language as presented during the discussion. Mr. Finch and Ms. Lasensky agreed that they would like to revisit the information after the comments so that they are able to review the changes in writing.

Mr. Finch agreed with Mr. Howard and does not want to give mixed messages about definitions, so he would like to see the language cleaned up. Ms. Fenner reiterated that there is time to revisit the language provided the Board meets in the spring.

Ms. O'Neill directed staff to prepare a final version for the Board's review and discussion at the next meeting.

VI. STRATEGIC PLAN UPDATE

Ms. Fenner stated that the 2012-2014 Strategic Plan was approved by the Board at its April 27, 2012, meeting. She referenced the list of action plan objectives in the Board agenda packet on pages 35 and 36. She indicated that staff is working toward meeting the goals, but is a little behind in meeting some target dates. Ms. Fenner asked the Board to let her know if there are any items they would like to see prioritized.

Mr. Finch requested more information on the Budget Change Proposal (BCP) that was listed as denied. Ms. Fenner responded that staff requested that funds be permanently appropriated from the Board's fund into its spending authority for examination development workshops. Unfortunately, the BCP didn't meet the criteria in the Department of Finance's budget letter. A new BCP will be submitted in another year.

Ms. Evans commented that she can see that staff is meeting some deadlines and is on track for the most part. She would like to continue moving forward on the objectives, but noted it is apparent that staff is managing everything well. Ms. O'Neill and Mr. Finch agreed.

VII. REPORT ON LEGISLATION

Ms. Fenner reported that AB 2657 (Calderon) was chaptered on July 24, 2012. The Board supported this bill which requires transcribers to designate as inaudible or unintelligible any portions of proceedings recorded electronically.

She indicated that the language that pertained to the CRB within SB 1237 (Price), known as the "Sunset Bill", was transferred to SB 1236 (Price) and was chaptered on September 14, 2012. This bill extends the Board and the Transcript Reimbursement Fund to January 1, 2017.

Ms. Fenner shared that AB 2076 (Ma) was unsuccessful. This bill would have required a court reporter fee to be charged for each proceeding lasting less than an hour, and for the collecting court to retain the fee.

She reported that AB 2372 (Hill) was chaptered on July 13, 2012. This new law will be a significant help to the collection efforts of deposition reporters.

Ms. Fenner indicated that AB 1904 (Block, Butler and Cook) was signed into law on September 20, 2012, and gives special consideration to the spouses of active military personnel to have their licensing applications expedited if being stationed in California under official active duty military orders. Ms. O'Neill inquired what the practical application is for the Board and if there is a need to grant reciprocal licensing or develop criteria for doing such. Ms. Fenner responded that staff would be able to recognize the applicant's work experience as a court reporter or a license as a court reporter in a state that the Board recognizes as reciprocal. In either event, the applicant would still be required to take the Board's examination.

Holly Moose, DRA, inquired if the applicant would be allowed to work in California until the next examination was offered. Ms. Fenner responded that they would not be allowed to do so and that a provisional or temporary license would not be issued. Ms. Bruning added that this bill is not specific to the Court Reporters Board, but rather applies to all licensing entities under DCA.

VIII. CORPORATIONS PRACTICING WITHOUT AUTHORIZATION

Ms. Fenner provided background information for the agenda item. She indicated that the item was before the Board as a follow-up to the litigation with US Legal. The Court found that because US Legal is incorporated in Texas, they are acting as a foreign domestic corporation; therefore, the Board was not able to enforce its citation. As a result of the Court's findings, it became apparent that a major problem exists in the industry with firms practicing in California without authorization to do business here. The Court also found that US Legal was rendering professional services without authorization, which means they are violating California law, but the Board doesn't have a clear means to enforce it.

Ms. Fenner also pointed out that when a firm violates the law, there is not a public record of it. This leaves the public without protection or the ability to make an informed decision as a consumer in the way that they would be able to do when inquiring about a licensee who had received a disciplinary action.

Ms. O'Neill outlined the six possible scenarios prepared by staff in an effort to address the issue that has been raised by the court case decision. The first is to seek legislation, which is a lengthy process. The second option would be to enforce Business and Professions (B&P) Code 8040, which governs how certified shorthand corporations are to be set up. She indicated the third option would be to draft regulations to implement, clarify and make specific B&P Code 8040 to state what constitutes professional services. Fourth, the Board could take action against the licensee by way of citation for the violations committed by the firm for which they work. The fifth option for consideration is that of turning over cases against corporations to the District Attorney or Attorney General for unfair business practices based on violations of the B&P Code or Corporations Code. Finally, the sixth option would be to pursue firm registration.

Ms. O'Neill opened the agenda item up for public comment, welcoming ideas in addition to what staff prepared.

Ed Howard, along with Antonia Pulone, thanked the Board on behalf of DRA and as a consumer for bringing this case. He stated that boards are supposed to be using their existing authority to seek vigorously to protect California consumers. The effort of this Board to protect consumers and to honor the importance of this profession by bringing this case is something that is extraordinarily noteworthy.

Mr. Howard indicated that the Court held that the remedy of citation and fine was not available for the Board to issue to a company that had no apparent statutory authorization to provide shorthand services in California. He interpreted that to mean that the Board did not have the ability to cite and fine unlicensed individuals for regulations that apply to licensees. Instead, the Board would need to use remedies available to it under statute for unlicensed practice. He added that the Board could use an injunction, or court order, to prevent the unlicensed individual from violating the law.

He stated that the Court held US Legal to be a corporation incorporated out-of-state. He added that the Moscone-Knox Professional Corporation Act requires foreign professional corporations to be "authorized" by the B&P Code to be doing business in California. Since no such authorization exists for US Legal, the Court elected to say you cannot treat them as if there was authorization by issuing a citation and fine. Further, the Court held for the first time that a corporation not owned by a licensee can render the very services that this Board regulates. The Court also ruled that US Legal renders professional services, namely shorthand reporting services, within the meaning of Corporations Code 13401. Corporations can never be providers of the services the Board regulates because they cannot sit for a licensing examination. The Court ruled that US Legal, based on the evidence at trial, is a provider of the services this Board regulates. This is extremely consequential when the Board is trying to figure out what remedies it has available in dealing with corporate providers of services. Mr. Howard believes this to be the primary reason the Board chose to pursue this action.

Mr. Howard indicated that although citation and fine are not available to the Board when dealing with foreign corporations for which there is not authorization, other remedies are available that do not involve legislation. The first option he discussed was that of injunction, as presented by staff, against the defendant in the case for providing the services that the Board regulates without apparent statutory authorization to do so. He added that this was the position taken by the Board's counsel in the case. Unlicensed activity poses a risk to consumers; therefore, the Board needs to remedy its impairment to regulate those services.

Seeking an injunction against a company that a trial court has ruled is here without authorization of the B&P Code would build on what has been accomplished in court and the resources already expended. An injunction can be brought by the Board itself or by another public entity charged with enforcing the law, such as the District Attorney or City Attorney, under the Unfair Competition Law, B&P Code section 17200, et seq. Mr. Howard urged the Board to look at this option carefully.

Mr. Howard discussed his second suggestion of refining the Board's scope of practice by way of regulation. He mentioned that other boards, including the Board of Accountancy, the Board for Professional Engineers, Land Surveyors, and Geologists, and the Dental Board, had all done this to clear up the ambiguities with their professions.

Mr. Howard supported his suggestion by raising questions that orbit around unlicensed activity. For corporations not owned by a licensee to provide shorthand reporting services, there is likely somebody that is doing things for which a license is required. For example, US Legal was determined to be performing duties prescribed only to deposition officers. Under the Code of Civil Procedures 2025.520, deposition officers are prescribed as the entities that are tasked with the extremely sensitive task to ensure corrections are handled ethically, neutrally and lawfully.

Another example he shared was that of an attorney working as in-house counsel for a non-licensee owned firm or corporation. There would be some things they could instruct the attorney to do that would not be the practice of law; however, the line needs to be drawn when talking about a non-licensee directing a licensee, for example, how to write briefs or cross-examine a witness. For this reason, you do not see law firms owned by Fortune 500 companies. Mr. Howard stated that corporations were originally forbidden from having anything to do with providing professional services because corporations are not real people that can sit for an examination.

The real question of importance is how the Board is able to use its authority related to unlicensed practice and unlicensed activity. As discussed, the Board could seek an injunction under B&P Code 125.5. The Board could also make regulations to define B&P Section 8016, the scope of practice which says in part, "no person shall engage in the practice of shorthand reporting unless the person is holding a license." The statute isn't limited to individuals when it says person. Persons violating that law commit a misdemeanor, which is a criminal component to unlicensed activity. In addition, B&P Code 146 (c) and (d) indicate that a violation of B&P Code 8016 is an infraction. California Code of Regulation 2480 (f) allows the Executive Officer to issue citations and orders of abatement to "corporations that are performing or who have performed services for which a license is required, but do not possess a license." The Court's ruling that

corporations not owned by licensees can be providers of reporting services suggests that there is unlicensed activity at least potentially going on there.

Mr. Howard indicated that he believes the regulatory process to be the fairest and best route. In this way, licensed versus unlicensed activity is spelled out by the Board in a thoughtful and deliberate way. Mr. Howard offered to provide a petition for rulemaking.

Mr. Finch indicated that the statute governing what a court reporter does provides more details than the attorneys' statute provides regarding their duties. He expressed his concern about developing regulations that may put in more lists of things when ample lists may already be available to make a decision.

Mr. Howard agreed with Mr. Finch's observation, indicating that the scope of practice is very functional. He argued, though, that it does not address the question of the control, supervision, or direction of licensees by non-licensees when the tasks rise to the level of practicing shorthand reporting.

Mr. Finch responded that the broad statement that the corporations are providing professional services concerns him. He indicated that he would explain further at a later point.

Mr. Howard shared his two-fold suggestion – one covering unlicensed corporations and the other covering unlicensed activity. In the first part, he believes there should be some leverage from the decision brought by the US Legal case. Since it has been established that one particular non-licensee-owned company on the basis of the evidence presented in that case has been determined to be providing the service this Board regulates, he suggested the Board enforce the Moscone-Knox Act, which makes professional corporations subject to all the rules of this Board. As an additional component or element of this profession, since it has been confirmed that corporations can be providers, he would suggest implementing regulations that cover unlicensed activity being conducted within the corporations.

Mr. Finch asked Mr. Howard if he had suggestions on how to go down the road of leveraging off the US Legal case. Mr. Howard confirmed that he did; however, both agreed that they did not want to discuss that any further at this time.

Ms. Evans asked Ms. Pulone if she had anything to add. Ms. Pulone shared that she believes there is a great deal of other activities conducted by firms, in many cases unlicensed firms, beyond just the issue of witness notification, the entire line of production, and the control of transcripts that should come under the supervision of a licensee. There are a variety of other issues in production and processing of transcripts that she believes are critical and that have to be considered in terms of how much supervision or even knowledge the licensee has about how things are being handled.

Mr. Howard added that addressing this issue generically by way of regulation is a beneficial, thoughtful and iterative process. The Board and staff are able to debate how far and where to go, what is wise and what is really needed. The consumers and licensees are benefitted, also, because they are provided with notice of the rules of the game. This is especially pertinent when talking about unlicensed activity as a possibly criminal liability. The Board may choose to focus on the straightforward issues to start

and leave the more difficult questions for staff interpretation or for future judicial interpretation at a later date.

Mr. Finch asked Mr. Howard if he had any comment on option 6 as provided by staff regarding pursuit of firm registration. Mr. Howard indicated that he and his client would oppose that idea. He reiterated his frustration as a staff person in the Legislature seeing boards request a legislative fix instead of exercising their existing authority. He urged the Board to exercise its inherit authority to address these issues before going to the Legislature. He also shared that he did not think such legislation would pass. Not only were there political reasons for his belief, but he also indicated that the Board just achieved a significant victory; therefore, the Legislature will expect the Board to go forward.

Mr. Howard commended the Board for going after a difficult case instead of only going after the easy cases. Mr. Howard thanked the Board.

Ms. O'Neill called for any further comments. Ms. Dobbs suggested the Board clarify by regulation B&P Code 8017, which states, "the accurate transcription thereof." She stated that the Board could define those involved in that process and probably address a lot of these issues raised. Mr. Howard stated that her suggestion is brilliant.

Ms. O'Neill requested discussion by the Board. She stated that she believed it would be best to give staff a direction of what is desired since they will carry out the action.

Mr. Finch indicated that he desired to see the Board leverage off the US Legal case. He questioned what costs would be involved and requested an analysis of such. He also wanted to approach the issue from all angles including implementing regulations. He agreed with Ms. Dobb's suggestion to define the accuracy of the transcription.

Ms. Evans was also interested in clarifying B&P Code 8017, but also would like to refine the scope of practice. She further requested additional information as to what an injunction would entail.

Ms. O'Neill shared that the Tennessee Board of Court Reporting was recently wrestling with the same problems. As a new licensing state, the statutes had been changed to address the duties of a licensee. After seeing an influx in the last year of the big firms coming in, the licensees began pushing back, saying they could not send the transcript to the big firm because the state law says licensees have to supervise the production of the transcript. She added that the language is in some states already. Ms. O'Neill is interested in the outcome of their battle and would like to have staff and counsel put something together for the Board to talk about.

Ms. Fenner suggested the Board hold town hall meetings in both Northern and Southern California. She would try to get as much comment before spending time trying to wordsmith language that could be off base. Ms. O'Neill, Ms. Lasensky, and Mr. Finch agreed that was a good idea. Mr. Finch added that he does not want to see the Board get into a position that is just a response to the US Legal case. He desires to see language that illuminates from the licensees.

Ms. Lasensky requested further clarification as to the unlicensed activity. Mr. Finch offered assistance, stating that there are two different issues: One is a regulatory fix to

define what it is to produce a transcript. The other issue is how to pursue legal action against unlicensed people. He noted the Board members are requesting that staff and the attorneys provide them with a report on the viability of that. Ms. Lasensky agreed that one without the other is not going to hit the necessary target.

Ms. Fenner indicated that she has clear direction to initiate the town hall meetings as a first step and also to work with counsel on a report so that the Board knows what an injunction would look like.

Mr. Finch inquired if licensees providing services for a corporation are liable for allowing a corporation to be responsible for the activities prescribed to the licensee. He asked if there was something the Board could do to stop the licensee for allowing that, which would ultimately put some leverage on the corporation to do something different. Ms. Fenner responded that option number 4 as presented to the Board was to take action against the licensee for just that. US Legal asserted in the lawsuit that they are just helping the court reporter. If the Board were to adopt that position, then the court reporter is ultimately responsible and they have to be on the hook for it. Mr. Finch requested that staff look into that further. He added that given the statute has some specificity already, a licensee may be in violation of the statute by allowing and/or supporting someone else doing something in contradiction to the statute. He requested an analysis of what effect staff believes that might have.

Mr. Howard offered to provide his verbal comments in writing. He believed it would be helpful to staff. He reiterated his request to spell out what constitutes unlicensed activity so that those who want to obey the law don't cross the line.

Ms. Evans indicated that she keeps going back to the question of how the Board got in this position when for so many years court reporting operations were by licensees only. Ms. Fenner responded that she reached out to former Executive Officer Rick Black to ask him that very question. His response was that he didn't remember. At the time when the large corporations started coming to the state, they determined that it was okay. She indicated that Mr. Black did not say who "they" were. The Board at the time may not have wanted to take it on or they may have not foreseen it as a problem. Unfortunately, he did not have any specifics as to why B&P Code 8040 was not enforced.

Ms. O'Neill called for any further comments. Based on the discussion, she turned over the task to the staff to begin the town hall meetings, work with counsel, and keep the Board members updated. Ms. Fenner stated that she has clear direction and thanked the Board for their input and direction.

IX. ELECTION OF OFFICERS

Ms. Fenner reported that she was contacted by the Governor's Appointment Office inquiring if the Board needed assistance in filling any vacancies. She responded that the only vacancy the Board currently has is the position from the Speaker of the Assembly's office. She also indicated that the Mr. Finch was serving in the grace period of his second term as a Governor's appointee, but the Board is no hurry to see his position filled since he is such an excellent member. Ms. Fenner was then informed that Mr. Finch is permitted to serve two full terms, and since his first term was a partial term, he is eligible to reapply for another full term. Ms. Fenner gave Mr. Finch the information to

consider prior to the meeting. She thought it might have some bearing on the election of officers.

Mr. Finch indicated that he is interested in reapplying for another term. He appreciates the support that he receives from the Board. He also identifies with the Board's transparency and integrity and enjoys contributing to that.

Ms. O'Neill opened up the discussion for nomination of officers. Ms. Lasensky asked Ms. O'Neill if she wanted to remain chair. Ms. O'Neill said that she would do whatever the other members wanted. Mr. Finch stated that he would like her to stay on as chair. Ms. Evans agreed, stating that Ms. O'Neill's position with the NCRA brings a broad perspective and service to the Board.

Ms. Lasensky nominated Ms. O'Neill as chair. Second by Mr. Finch. **MOTION CARRIED.**

Ms. O'Neill called for nominations of vice-chair. Ms. Lasensky inquired if Mr. Finch would like to continue as vice-chair. Mr. Finch asked Ms. Evans if she was interested in serving as vice-chair. Ms. Evans responded that she believed it was good to have a public member serving as one of the officers. Mr. Finch indicated that he doesn't feel like he needs a title to be heard, but he would serve if that is what the other members want.

Ms. Lasensky nominated Mr. Finch as vice-chair. Second by Ms. Evans. **MOTION CARRIED.**

X. PUBLIC COMMENT

No comments were offered.

XI. FUTURE MEETING DATES

Ms. Fenner reiterated that the Board does not have a contract in place yet for the next dictation examination; however, it would likely take place in February or March 2013 in Southern California. The Board agreed to wait until a contract for the dictation examination was established before deciding on the next meeting date, at which time Ms. Fenner will poll the Board by e-mail to check their availability.

The Board took a short recess at 4:58 p.m. and returned at 5:03 p.m.

XII. CLOSED SESSION

The Board convened in to closed session pursuant to Government Code sections 11126(a) and 11126(e)(2)(A) at 5:03 p.m.

Upon returning to Open Session, Ms. O'Neill indicated that there was nothing to report from closed session.

XIII. ADJOURNMENT

Ms. O'Neill adjourned the meeting at 5:10 p.m.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM III – Board Members and Staff Appearances

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Oral report by Board members and staff of activities since the October 12, 2012 Board meeting in Sacramento.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM IV – Executive Officer Report

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Agenda Description: Report on:

- A. CRB Budget Report
- B. Transcript Reimbursement Fund
- C. Exam
- D. School Updates
- E. CRB Today Newsletter, Spring 2013
- F. BreEZe

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Support Documents:

- Attachment 1, Item A – Budget Report, Fiscal Month 7 Projection
- Attachment 2, Item A – Fund Condition Analysis for Fund 0771, CRB
- Attachment 3, Item B – Fund Condition Analysis for Fund 0410, TRF
- Attachment 4, Item C – Historical Examination Pass Rates

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Fiscal Impact: None.

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Report Originator: Yvonne Fenner, 3/8/2013

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Recommended Board Action: (Informational)

14-Mar-2013

COURT REPORTERS OF CALIFORNIA - 0771
BUDGET REPORT
FY 2012-13 EXPENDITURE PROJECTION
Jan-2013

FISCAL MONTH 7

OBJECT DESCRIPTION	FY 2011-12		FY 2012-13				
	ACTUAL	PRIOR YEAR	BUDGET	CURRENT YEAR	PERCENT	PROJECTIONS	UNENCUMBERED
	EXPENDITURES	EXPENDITURES	STONE	EXPENDITURES		TO YEAR END	BALANCE
	(MONTH 12)	1/30/2011	201213	1/30/2012	SPENT		
PERSONNEL SERVICES							
003 Salary & Wages (Staff)	193,529	110,699	187,209	110,918	59%	190,145	(2,936)
063 Statutory Exempt (EO)	80,473	48,418	81,732	45,474	56%	77,952	3,780
033.04 Temp Help Reg (Seasonals)	13,309	11,242		278		1,500	(1,500)
063.01 Board Member Per Diem	2,200	1,200	7,310	900	12%	3,000	4,310
083.00 Overtime	4,905	2,380	500	3,054	611%	6,000	(5,500)
103-137 Staff Benefits	134,928	79,003	116,553	80,841	69%	137,000	(20,447)
TOTALS, PERSONNEL SVC	429,342	250,922	393,304	241,485	61%	415,597	(22,293)
OPERATING EXPENSE AND EQUIPMENT							
201.00 General Expense	2,737	1,070	2,014	3,454	171%	4,500	(2,486)
213.04 Fingerprint Reports	500	204	9,449	49	1%	500	8,949
226.00 Minor Equipment	368					0	0
241.00 Printing (General)	5,160	2,444	916		0%		916
242.00 Pamphlet/Leaflet/Bro				180		180	(180)
242.03 Copy Costs Allocation				180		900	(900)
242.04 EDD Productions				1,220		3,300	(3,300)
244.00 Printing (Sharp Electronics REQ0078-07)				300		300	(300)
245.00 Printed Form/Statn				13			
251.00 Communication	5,150	1,933	160	2,854	1784%	4,000	(3,840)
261.00 Postage (General)	9,821	4,911	5,518		0%		5,518
262.00 Stamps, Stamp Envelope				135		300	(300)
263.05 DCA Postage Allocation				1,874		3,000	(3,000)
263.06 EDD Postage Allocation				3,431		6,000	(6,000)
291.00 Travel In State	14,010	6,733	45,584	10,365	23%	15,000	30,584
311.00 Travel, Out-of-State							0
332.00 Training			2,517		0%	0	2,517
343.00 Facilities Operations (rent only)	34,802	34,422	28,745	40,716	142%	33,930	(5,185)
41.00-347.00 Facilities Operations (lease surcharge & other)				251		1,000	(1,000)
361.00 Utilities							0
382.00 C & P Services - Interdept.			1,883		0%	0	1,883
402.00 C & P Services - External (General)	1,243	1,243	27,042	645	2%	645	26,397
DEPARTMENTAL SERVICES:							
424.03 Departmental Pro Rata	84,288	55,713	57,042	42,772	75%	57,042	0
427.00 Admin/Exec	36,648		39,646	29,735	75%	39,646	0
427.01 Interagency Services		39,304	83		0%	83	0
427.10 C & P Services - IAC77178-A0 (OPES)	30,718			30,946		17,330	(17,330)
427.10 C & P Services - IAC77177-A0 (OPES)						13,616	(13,616)
427.30 DOI-ProRata Internal	1,236		1,607	1,205	75%	1,607	0
427.34 Public Affairs Office	2,468		2,279	1,709	75%	2,279	0
427.35 CCED	2,590		2,752	2,064	75%	2,752	0
INTERAGENCY SERVICES:							
426.00 Consolidated Data Center	105	70	3,251	39	1%	200	3,051
32.00-449.00 DP Maintenance & Supply	2,015	2,015	1,578		0%	0	1,578
438.00 Central Admin Svc-ProRata	36,740	18,370	28,888	14,444	50%	28,888	0
EXAM EXPENSES:							
206.20 Exam Supplies			751		0%	0	751
207.20 Exam Freight							0
343.20 Exam Site Rental (November 2012)	8,757	28,757	7,680	25,076	327%	5,514	2,166
Exam Site Rental (March 2012)						11,000	(11,000)
404.00 C/P Svcs-External Expert Adm (see below)	11,604	18,025		14,153			0
404.00 C/P Svcs-External (PSI Svcs LLC)				14,153		11,000	(11,000)
404.01 C/P Svcs-External Expert Examiners	10,562	10,262	30,479	15,264	50%	20,000	10,479
404.03 C/P Svcs-External Subject Matter	5,927	4,021				3,000	(3,000)
ENFORCEMENT:							
394.00 Legal fees (excluding AG)	0		25,793		0%	0	25,793
396.00 Attorney General	46,000	61,335	47,172	27,413	58%	65,000	(17,828)
397.00 Office Admin. Hearings	1,068	286	15,573	5,266	34%	5,266	10,307
418.97 Court Reporters	766			310		310	(310)
414.31/33/34 Evidence/Witness Fees	1,952	1,688		7,050		13,000	(13,000)
427.31-.32 DOI - Investigations							0
452-472 Major Equipment	8,863					0	0
545.00 Special Items of Expense							0
501.00 Other Items of Expense			1,125		0%		1,125
609.00 Tort Payments				876		876	
TOTALS, OE&E	346,138	292,806	389,525	298,142	77%	371,964	18,437
TOTAL EXPENSE	775,480	543,728	782,829	539,607	138%	787,561	(3,856)
991937 00 Sched. Reimb. - External/Private	(940)	(470)				0	0
991937 01 Sched. Reimb. - Fingerprints	(500)	(255)	(1,000)	(147)		(3,449)	2,449
991937 02 Sched. Reimb. - Other				(490)			0
995988 01 Unsched. Reimb. - Other	(3,525)	(2,510)	(17,000)	(1,375)			(17,000)
NET APPROPRIATION	770,515	540,493	764,829	537,595	70%	784,112	(18,407)
SURPLUS/(DEFICIT):							-2.4%

0771 - Court Reporters Board Analysis of Fund Condition

(Dollars in Thousands)

1/7/2012

13-14 Governor's Budget (Galley II)

	ACTUAL 2011-12	CY 2012-13	BY 2013-14
BEGINNING BALANCE	\$ 1,414	\$ 1,344	\$ 1,206
Prior Year Adjustment	\$ -49	\$ -	\$ -
Adjusted Beginning Balance	\$ 1,365	\$ 1,344	\$ 1,206
 REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ 20	\$ -	\$ -
125700 Other regulatory licenses and permits	\$ 37	\$ 35	\$ 39
125800 Renewal fees	\$ 920	\$ 875	\$ 875
125900 Delinquent fees	\$ 19	\$ 18	\$ 18
141200 Sales of documents	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 6	\$ 4	\$ 4
150500 Interest Income From Interfund Loans	\$ -	\$ -	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1,002	\$ 932	\$ 936
 Transfers to Other Funds			
T00001 GF loan per Item 1520-011-0771, BA of 2003	\$ -	\$ -	\$ -
T00410 TRF per B&P Code Section 8030.2	\$ -250	\$ -300	\$ -300
 Totals, Revenues and Transfers	\$ 752	\$ 632	\$ 636
 Totals, Resources	\$ 2,117	\$ 1,976	\$ 1,842
 EXPENDITURES			
Disbursements:			
0840 State Controllers (State Operations)	\$ 1	\$ 1	\$ -
8880 FSCU (State Operations)	\$ -	\$ 4	\$ -
1110 Program Expenditures (State Operations) -	\$ 772	\$ 765	\$ 890
13-14 Fi\$cal Assessment	\$ -	\$ -	\$ 4
 Total Disbursements	\$ 773	\$ 770	\$ 894
 FUND BALANCE			
Reserve for economic uncertainties	\$ 1,344	\$ 1,206	\$ 948
 Months in Reserve	20.9	16.2	12.5

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR 2012-13 AND ON-GOING.
- B. ASSUMES INTEREST RATE AT 1%.
- C. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR.

12/6/2012

0410 - Transcript Reimbursement Fund

Analysis of Fund Condition

(Dollars in Thousands)

13-14 Governor's Budget (Galley II)

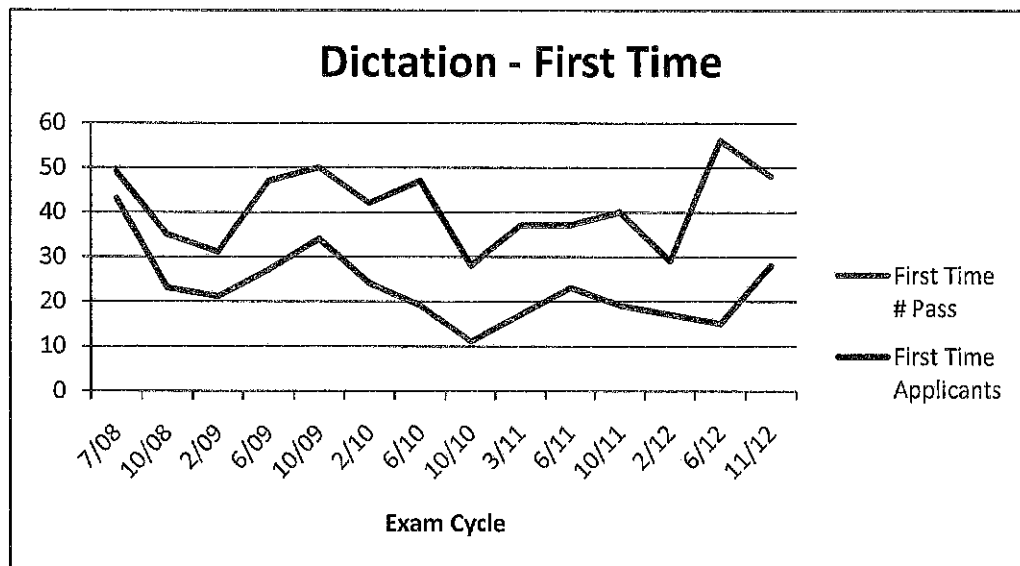
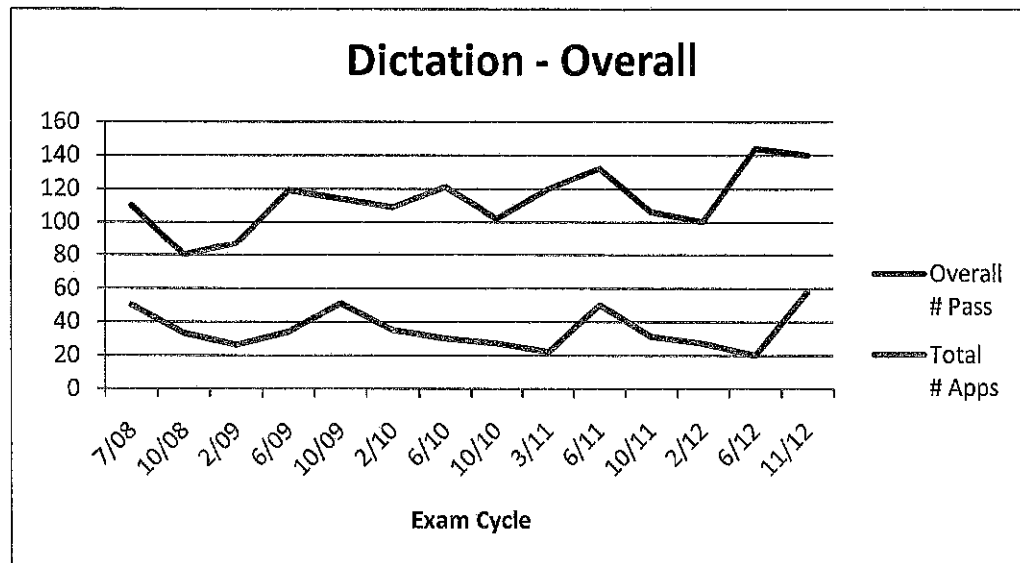
	ACTUAL 2011-12	CY 2012-13	BY 2013-14
BEGINNING BALANCE	\$ 550	\$ 283	\$ 267
Prior Year Adjustment	\$ -261	\$ -	\$ -
Adjusted Beginning Balance	\$ 289	\$ 283	\$ 267
REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ -	\$ -	\$ -
125700 Other regulatory licenses and permits	\$ -	\$ -	\$ -
125800 Renewal fees	\$ -	\$ -	\$ -
125900 Delinquent fees	\$ -	\$ -	\$ -
141200 Sales of documents	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 1	\$ 1	\$ 1
160400 Sale of fixed assets	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -
Totals, Revenues	\$ 1	\$ 1	\$ 1
Transfers from Other Funds			
F00771 Court Reporters Fund per B&P Code Section 8030.2	\$ 250	\$ 300	\$ 300
Totals, Revenues and Transfers	\$ 251	\$ 301	\$ 301
Totals, Resources	\$ 540	\$ 584	\$ 568
EXPENDITURES			
Disbursements:			
0840 State Controller (State Operations)	\$ -	\$ 1	\$ -
1110 Program Expenditures (State Operations)	\$ 257	\$ 314	\$ 313
8880 FSCU (State Operations)	\$ -	\$ 2	\$ -
13-14 Fiscal Assessment	\$ -	\$ -	\$ 1
Total Disbursements	\$ 257	\$ 317	\$ 314
FUND BALANCE			
Reserve for economic uncertainties	\$ 283	\$ 267	\$ 254
Months in Reserve	10.7	10.2	9.6

PAST YEAR DATA IS BASED ON GOVERNOR'S BUDGET PAST YEAR ACTUALS.

NOTES:

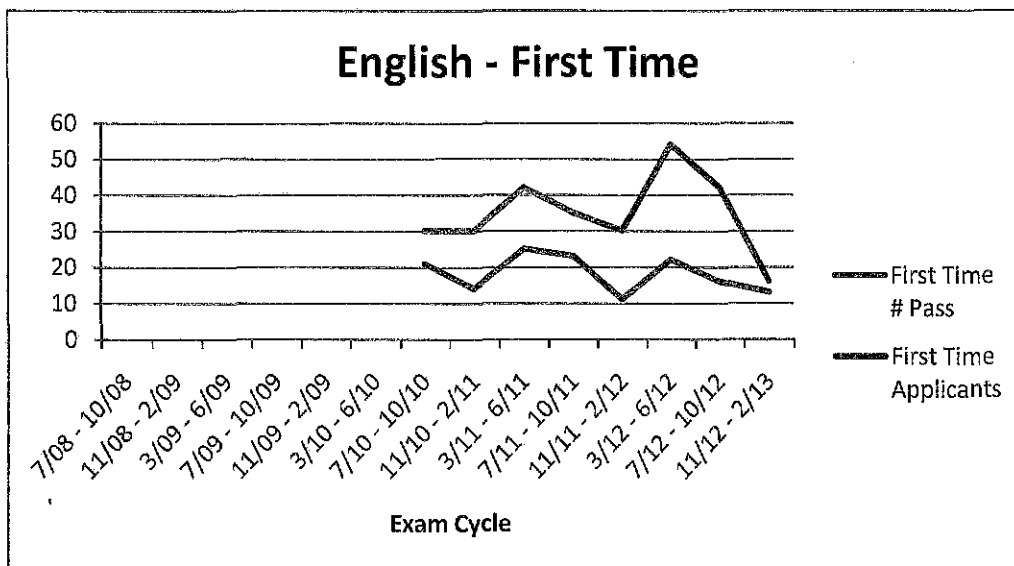
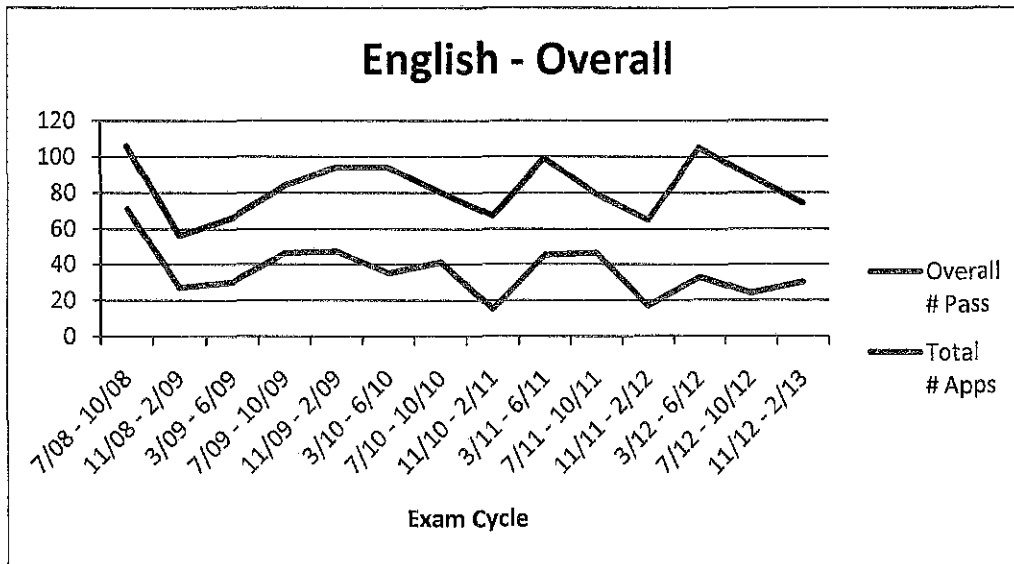
- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED FOR 2012-13 AND ON-GOING.
- B. ASSUMES INTEREST RATE AT .3%.
- C. ASSUMES APPROPRIATION GROWTH OF 2% PER YEAR.

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008	110	50	45.45%	49	43	87.76%
Oct 2008	80	33	41.25%	35	23	65.71%
Feb 2009	87	26	29.89%	31	21	67.74%
Jun 2009	119	34	28.57%	47	27	57.45%
Oct 2009	114	51	44.74%	50	34	68.00%
Feb 2010	109	35	32.11%	42	24	57.14%
Jun 2010	121	30	24.79%	47	19	40.43%
Oct 2010	102	27	26.47%	28	11	39.29%
Mar 2011	120	22	18.33%	37	17	45.95%
Jun 2011	132	50	37.88%	37	23	62.16%
Oct 2011	106	31	29.25%	40	19	47.50%
Feb 2012	100	27	27.00%	29	17	58.62%
Jun 2012	144	20	13.89%	56	15	26.79%
Nov 2012	140	58	41.43%	48	28	58.33%



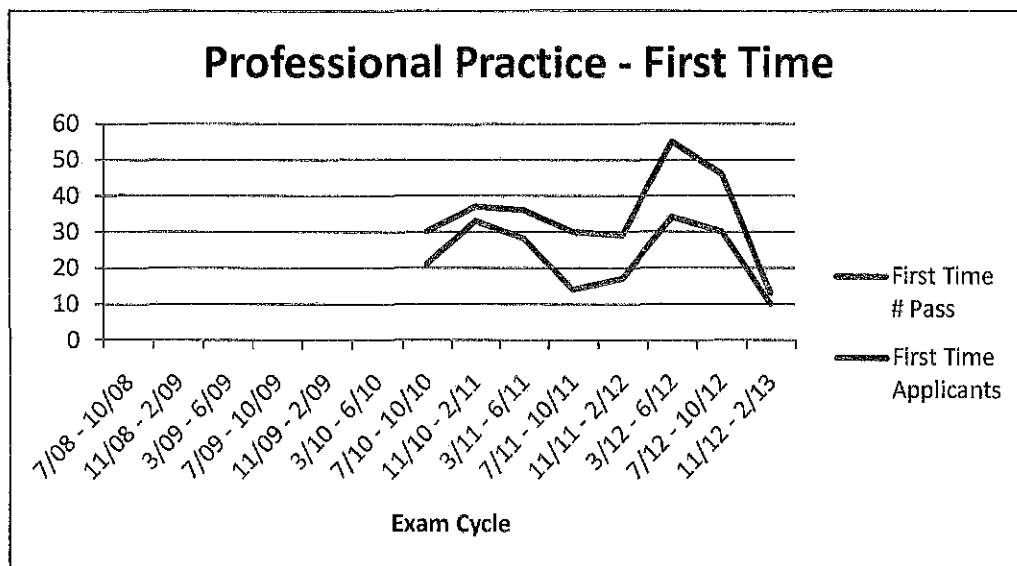
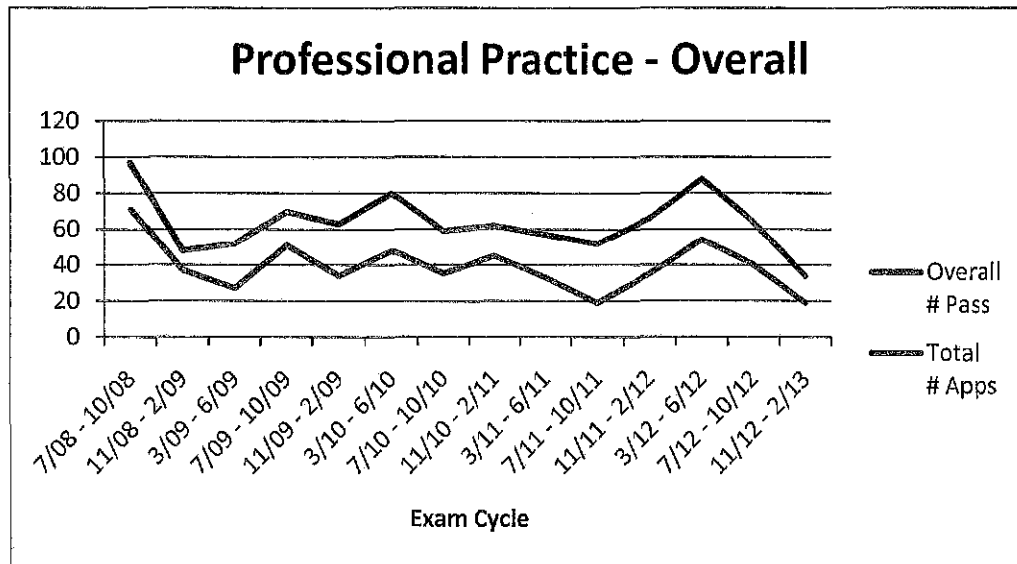
English Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	106	71	65.7%			
Nov 2008 - Feb 2009	56	27	48.2%			
Mar 2009 - Jun 2009	66	30	45.5%			
Jul 2009 - Oct 2009	84	46	54.8%			
Nov 2009 - Feb 2010	94	47	50.0%			
Mar 2010 - Jun 2010	94	35	37.2%			
Jul 2010 - Oct 2010	80	41	51.3%	30	21	70.0%
Nov 2010 - Feb 2011	67	15	22.4%	30	14	46.7%
Mar 2011 - Jun 2011	99	45	45.5%	42	25	59.5%
Jul 2011 - Oct 2011	79	46	58.2%	35	23	65.7%
Nov 2011 - Feb 2012	65	17	26.2%	30	11	36.7%
Mar 2012 - Jun 2012	105	33	31.4%	54	22	40.7%
Jul 2012 - Oct 2012	89	24	27.0%	42	16	38.1%
Nov 2012 - Feb 2013	74	30	40.5%	16	13	81.3%



Professional Practice Exam

Exam Cycle	Total # Apps	Overall # Pass	Overall % Pass	First Time Applicants	First Time # Pass	First Time % Pass
Jul 2008 - Oct 2008	97	71	73.2%			
Nov 2008 - Feb 2009	48	37	77.1%			
Mar 2009 - Jun 2009	52	27	51.9%			
Jul 2009 - Oct 2009	70	51	72.9%			
Nov 2009 - Feb 2010	63	34	54.0%			
Mar 2010 - Jun 2010	80	48	60.0%			
Jul 2010 - Oct 2010	59	35	59.3%	30	21	70.0%
Nov 2010 - Feb 2011	62	45	72.6%	37	33	89.2%
Mar 2011 - Jun 2011	57	33	57.9%	36	28	77.8%
Jul 2011 - Oct 2011	52	19	36.5%	30	14	46.7%
Nov 2011 - Feb 2012	66	35	53.0%	29	17	58.6%
Mar 2012 - Jun 2012	88	54	61.4%	55	34	61.8%
Jul 2012 - Oct 2012	64	40	62.5%	46	30	65.2%
Nov 2012 - Feb 2013	34	19	55.9%	13	10	76.9%



COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM V – Enforcement Report

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Agenda Description: Update of Enforcement Activity.

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Brief Summary:

Enforcement Reports – Monthly reports indicating complaint, investigation and enforcement action statistics.

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Support Documents:

Attachment – First-Second Quarter FY 2012/13 Enforcement Report

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Fiscal Impact: None

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Report Originator: Connie Conkle, 3/8/12

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Recommended Board Action: Informational.

Consumer Protection Enforcement Initiative Fiscal Year 2012-2013 Enforcement Report First - Second Quarter

Complaint Intake

Complaints	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	17	12	15	10	4	7							65
Closed without Assignment for Investigation	0	0	0	0	0	0							0
Assigned for Investigation	17	12	15	10	4	7							65
Average Days to Close or Assign for Investigation	1	1	1	1	1	1							1
Pending	0	0	0	0	0	0							0 *

Convictions/Arrests Reports	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Received	0	0	1	1	0	0							2
Closed	0	0	1	0	0	0							1
Average Days to Close	0	0	27	0	0	0							27
Pending	0	0	0	1	1	1							0 *

Investigation

Desk Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Initial Assignment for Desk Investigation	17	12	15	10	4	7							65
Closed	2	15	14	14	18	11							74
Average Days to Close	95	54	89	92	133	92							79
Pending	42	39	40	36	22	18							41 *

Field Investigation (Sworn)	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Assignment for Sworn Field Investigation	0	0	0	0	0	0							0
Closed	0	0	0	0	0	0							0
Average Days to Close	0	0	0	0	0	0							0
Pending	0	0	0	0	0	0							0

All Investigation	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Closed	2	15	14	14	18	11							74
Average Days to Close	95	54	89	92	133	92							79
Pending	42	39	40	36	22	18							41 *

*Average number of cases pending per month

Enforcement Actions

AG Cases	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
AG Cases Initiated	0	1	0	0	2	0							3
AG Cases Pending	8	8	7	7	5	7							8 *
SOIs/Accusations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
SOIs Filed	1	0	0	0	0	0							1
SOIs Withdrawn	0	0	0	0	0	0							0
SOIs Dismissed	0	0	0	0	0	0							0
SOIs Declined	0	0	0	0	0	0							0
Average Days to Complete SOIs	168	0	0	0	0	0							168
Accusations Filed	3	0	0	0	0	0							3
Accusations Withdrawn	0	0	0	0	0	0							0
Accusations Dismissed	0	0	0	0	0	0							0
Accusations Declined	0	0	0	0	0	0							0
Average Days to Complete Accusations	237	0	0	0	0	0							237
Decisions/Stipulations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Proposed/Default Decisions	0	1	0	1	0	1							1
Stipulations	0	1	0	1	0	1							0
Disciplinary Orders	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Orders (Proposed Decisions Adopted, Default Decisions, Stipulations)	0	0	2	0	2	0							1
Average Days to Complete	0	0	497	0	518	0							363
Interim Suspension Orders	0	0	0	0	0	0							0
Citations	July	August	Sept.	Oct.	Nov.	Dec.	January	Feb.	March	April	May	June	Total
Final Citations	0	3	5	8	6	2							24
Average Days to Complete	0	49	57	72	77	90							53

*Average number of cases pending per month

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM VI – Strategic Plan Update

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Agenda Description: Status updates on the Board's Strategic Plan objectives.

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Support Documents:

Attachment – Action Plan Timeline

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Fiscal Impact: None

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Report Originator: Paula Bruning, 3/7/2013

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Recommended Board Action: Informational.

**Court Reporters Board of California
2012-2014 Action Plan Timeline**

**Attachment
Agenda Item VI**

Action Items	Target Date	Status
Appoint a technology task force, with consideration for travel restrictions, or through teleconferencing.	Apr-2012	Initiated 4/27/12 Brd Mtg
Submit Budget Change Proposal.	Apr-2012	Submitted; Denied
Create Board Task Force to explore continuing competency and find pathways for delivering information to the administration.	Apr-2012	Initiated 4/27/12 Brd Mtg
Research economic impact and job trends for newsletter article.	Apr-2012	Spring '12 Newsletter
Establish a method to capture phone complaints in a call log.	Jun-2012 Jun-2013	
Research pledges from other professional licensing groups.	Jun-2012 Jun-2013	Initiated
Develop content for the Best Practices Pointers.	Sep-2012 Sep-2013	
Contact the Outreach Unit Manager (John Brooks) to research which services they provide.	Oct-2012 Oct-2013	
Deliver Best Practices Pointers to the Publications & Design team.	Oct-2012 Oct-2013	
Discuss Facebook and Twitter options with OPA.	Oct-2012 Oct-2013	
Post Best Practices Pointers the Web-site and send inserts with January renewal notices.	Nov-2012 Nov-2013	
Categorize complaint types through excel sheets, until BreEZe is released.	Dec-2012 Dec-2013	
Establish an electronic records task force and identify legality of electronic signatures.	Jun-2013	*
Work with OPA to create web-based vignettes to be posted to the Board's Web site	Jul-2013	*
Review and update current standards.	Aug-2013	
Receive Board approval on new standards.	Oct-2013	
Educate consumers on the updated standards through the association meetings, newsletters, web site vignettes, etc.	Dec-2013	
Educate licensees regarding changes which will occur to the guidelines, newsletter, web vignettes, industry associations, etc.	Dec-2013	

Court Reporters Board of California
2012-2014 Action Plan Timeline

Action Items (cont.)	Target Date	Status
Develop a task force to establish partnerships and create materials for best practices.	Feb-2014	
Develop staff task force to work with industry associations in regards to continuing education.	Jun-2014	
Develop standards for the integrity of an electronic record, including privacy issues.	Jun-2014	
Work with SOLID to discuss developing webinars for attorneys and litigants.	Jun-2014	
Develop an online test regarding CRB statutes and regulations.	Dec-2014	
Examine the feasibility of National Court Reporters Association (NCRA) credits for webinars.	Dec-2014	
Submit rulemaking calendar.	Complete	
Continue conducting information sessions in conjunction with industry events when travel restrictions allow.	Ongoing	
Develop a strategy as needed for supporting oversight regulation of court reporting firms as approved by the Board in 2008.	Ongoing	
Develop reports as needed.	Ongoing	
Go through rulemaking process to change enforcement regulations as needed.	Ongoing	
Monitor claims for trends for Transcript Reimbursement Fund.	Ongoing	
Network with schools when travel restrictions allow.	Ongoing	
Review and monitor the action item list at every board meeting.	Ongoing	
Continue to meet with BreEZe team personnel in preparation for release in Fall 2013.	Ongoing until 2013	
Append FAQ information from the newsletter onto end of the web FAQ's.	Semi-Annually	

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

**AGENDA ITEM VII – Consideration of Recognition of Taft College at
WESTEC Court Reporting Program**

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Agenda Description: Discussion and possible action.

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Brief Summary:

At its October 27, 2011 meeting, the Board granted provisional recognition to Taft College retroactive to December 8, 2008, due to an oversight in approving the program when initially requested. The Board later approved a one-year extension of Taft's provisional approval at the April 27, 2012 meeting.

On February 26, 2013, Taft College submitted a request for full recognition of their court reporting program. They substantiated their request by indicating a student from their program successfully completed the entire course of study established by the board and has been issued a certificate to practice shorthand reporting as required by B&P Code 8027(d).

The Taft student recently passed the last of the three required tests and was issued a CSR license in February 2013. Although this student started out at Bryan College with theory, she enrolled at Taft in the spring of 2010 and completed the course of study available in their court reporting program, including more than 2,500 hours of machine shorthand and transcription hours logged.

Taft averages enrollment of 40 – 50 students each semester. Since 2010, three Taft students have earned their associate in science degree in court reporting, and three others have earned their certificate in court reporting. Five Taft students have reached the CSR examination level, three others are in qualifiers, and nine are at the 180 WPM speed level.

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Support Documents:

Attachment – B&P Code, Section 8027 (c) and (d).

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Fiscal Impact: None

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Report Originator: Paula Bruning, 3/7/2013

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Recommended Board Action:

Grant full recognition to Taft College at WESTEC Court Reporting Program.

Business and Professions Code, section 8027

(c) Any school intending to offer a program in court reporting shall notify the board within 30 days of the date on which it provides notice to, or seeks approval from, the State Department of Education, the Bureau for Private Postsecondary and Vocational Education, the Office of the Chancellor of the California Community Colleges, or the Western Association of Schools and Colleges, whichever is applicable. The board shall review the proposed curriculum and provide the school tentative approval, or notice of denial, within 60 days of receipt of the notice. The school shall apply for provisional recognition pursuant to subdivision (d) within no more than one year from the date it begins offering court reporting classes.

(d) The board may grant provisional recognition to a new court reporting school upon satisfactory evidence that it has met all of the provisions of subdivision (b) and this subdivision. Recognition may be granted by the board to a provisionally recognized school after it has been in continuous operation for a period of no less than three consecutive years from the date provisional recognition was granted, during which period the school shall provide satisfactory evidence that at least one person has successfully completed the entire course of study established by the board and complied with the provisions of Section 8020, and has been issued a certificate to practice shorthand reporting as defined in Sections 8016 and 8017. The board may, for good cause shown, extend the three-year provisional recognition period for not more than one year.

Failure to meet the provisions and terms of this section shall require the board to deny recognition. Once granted, recognition may be withdrawn by the board for failure to comply with all applicable laws and regulations.

AGENDA ITEM VIII – Report on Legislation

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Agenda Description:

Briefing on current legislation related to the court reporting industry and/or the Court Reporters Board with discussion and possible action.

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Brief Summary:

SB 46 (Corbett) – Personal information: privacy.

Existing law requires any agency, person or business conducting business in California that owns or licenses computerized data that includes personal information to disclose in specified ways, any breach of the security of the system or data following discovery or notification of the security breach to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Existing law defines "personal information" to include an individual's first name and last name, or first initial and last name, in combination with one or more designated data elements relating to social security numbers, driver's license numbers, financial accounts, and medical information. This bill would revise certain data elements included within the definition of personal information, by adding certain information relating to an account other than a financial account.

SB 123 (Corbett) – Environmental and Land-Use Court.

This bill would require the presiding judge of each superior court to establish an environmental and land-use division within the court to process civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality. The bill would require the Judicial Council, by rule of court, to identify statutes in those specified areas that would be within the jurisdiction of the environmental and land-use court division. The bill would require the Judicial Council, by rule of court, to establish appropriate standards and protocols for the environmental and land-use court division to accomplish the objectives of consistency, expediency, and expertise, including educational requirements and other qualifications for specialized judges assigned to the division.

SB 176 (Galgiani) – Administrative procedures.

Existing law governs the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. This bill would, in order to increase public participation and improve the quality of regulations, require state agencies, boards, and commissions to publish a notice prior to any meeting date or report, provided the meeting or report is seeking public input, as described.

SB 315 (Lieu) – Civil actions: telephonic appearances.

Existing law provides that courts should, to the extent feasible, permit parties to appear by telephone at appropriate conferences, hearings, and proceedings in civil cases to improve access to the courts and reduce litigation costs. This bill would make a non-substantive change to that provision.

SB 417 (Berryhill) – Department of Consumer Affairs: unlicensed activity enforcement.

***Spot bill

Existing law punishes specified unlicensed activity in the professions and vocations regulated by the Department of Consumer Affairs as an infraction and authorizes the establishment by boards within the department of an administrative citation system for unlicensed persons acting in the capacity of a licensee or registrant. This bill would make a technical, non-substantive change to this provision.

****SB 705 (Block) – Electronic Court Reporting**

Under existing law, a court may use electronic recording equipment in a limited civil case, or a misdemeanor or infraction case, or for the internal personnel purpose of monitoring judicial officer performance, as specified. If electronic recording equipment is used, a transcript created with that equipment may be used whenever a transcript of court proceedings is necessary. Existing law prohibits a court from expending funds for, or using, electronic recording technology or equipment to make an unofficial record of an action or proceeding, including for purposes of judicial notetaking, or to make the official record of an action or proceeding in circumstances not authorized by this provision. This bill would provide that a court may use existing electronic recording equipment for the purpose of judicial notetaking.

AB 186 (Maienschein) – Professions and vocations: military spouses: temporary licenses.

Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Under existing law, licensing fees imposed by certain boards within the department are deposited in funds that are continuously appropriated. Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders. This bill would authorize a board within the department to issue a provisional license to an applicant who qualifies for an expedited license pursuant to the above-described provision. The bill would require the provisional license to expire after 18 months.

****AB 251 (Wagner) – Electronic court reporting.**

Existing law authorizes a court to use electronic recording equipment in a limited civil case, a misdemeanor or infraction case, or for the internal purpose of monitoring judicial officer performance. Existing law requires a court to obtain advance approval from the Judicial Council prior to purchasing equipment. Existing law also requires each superior court to report semiannually to the Judicial Council, and the Judicial Council to report semiannually to the Legislature, regarding all purchases and leases of electronic recording equipment that will be used to record superior court proceedings. This bill would instead require the Judicial Council, by July 1, 2014, to implement electronic court reporting in 20% of all superior court courtrooms, and to implement electronic reporting in at least an additional 20% of all superior court courtrooms annually thereafter. This bill would also require the Judicial Council to report to the Governor and the Legislature on the efforts undertaken to implement electronic court reporting, as provided, by January 1, 2016. The provisions of the bill would not apply to felony cases.

AB 258 (Chavez) – State agencies: veterans.

Existing law provides for the governance and regulation of state agencies, as defined. Existing law provides certain benefits and protections for members of the Armed Forces of the United States. This bill would require every state agency that requests on any written form or written publication, or through its Internet Web site, whether a person is a veteran, to request that information in a specified manner.

AB 291 (Nestande) – California Sunset Review Commission.

Existing law establishes the Joint Sunset Review Committee, a legislative committee comprised of 10 Members of the Legislature, to identify and eliminate waste, duplication, and inefficiency in government agencies and to conduct a comprehensive analysis of every "eligible agency" for which a date for repeal has been established, to determine if the agency is still necessary and cost effective. Existing law requires each eligible agency scheduled for repeal to submit a report to the committee containing specified information. Existing law requires the committee to take public testimony and evaluate the eligible agency prior to the date the agency is scheduled to be repealed, and requires that an eligible agency be eliminated unless the Legislature enacts a law to extend, consolidate, or reorganize the agency. Existing law also requires the committee to review eligible agencies and evaluate and determine whether each has demonstrated a public need for its continued existence and to submit a report to the Legislature detailing whether an agency should be terminated, continued, or whether its functions should be modified. This bill would abolish the Joint Sunset Review Committee on January 1 or an unspecified year. The bill would, commencing on that same January 1, establish the California Sunset Review Commission within the executive branch to assess the continuing need for any agency, as defined, to exist. The commission would consist of 10 members, with 8 members appointed by the Governor and 2 Members of the Legislature each appointed by the Senate Committee on Rules and the Speaker of the Assembly, subject to specified terms. The commission would be under the direction of a director appointed by the commission members. The bill would require the commission to meet regularly and to work with each agency subject to review to evaluate the need for the agency to exist, identify required statutory, regulatory, or management changes, and develop legislative proposals to enact those changes. The bill would require the commission to prepare a report, containing legislative recommendations based on its agency review, to be submitted to the Legislature and would also require the commission to meet certain cost-savings standards within 5 years. This bill contains other related provisions.

****AB 365 (Mullin) – Court reporting.**

Existing law provides that the report of the official court reporter or official court reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of that testimony and proceeding. This bill would require that the report be transcribed and certified by a certified shorthand reporter, as defined, in order to qualify as prima facie evidence of that testimony and proceeding. This bill contains other related provisions and other existing laws.

AB 376 (Donnelly) – Regulations: notice.

This bill would require a state agency enforcing a regulation promulgated on or after January 1, 2014, to notify a business that is required to comply with that regulation of the existence of the regulation 30 days before its effective date, and to cooperate with the Secretary of State to access business records to obtain the business contact information necessary to provide that notice.

AB 393 (Cooley) – Office of Business and Economic Development: Internet Web site.

Existing law requires the Director of the Governor's Office of Business and Economic Development to ensure that the office's Internet Web site contains information to assist an individual with the licensing, permitting, and registration requirements necessary to start a business. Existing law also requires a state agency that the Governor determines has licensing authority to provide accurate updated information about its licensing requirements, as provided. This bill would require the Director of the Governor's Office of Business and Economic Development to ensure that the office's Internet Web site contains information on the fee requirements and fee schedules of state agencies and would also require a state agency that the Governor determines has licensing authority to provide accurate updated information about its fee schedule, as provided.

AB 555 (Salas) – Professions and vocations: military and veterans. *Spot bill**

This bill would state the intent of the Legislature to enact legislation that would streamline the licensure process of various professions and vocations for veterans and members of the military separating from service.

****AB 566 (Wieckowski) – Courts: personal services contracting.**

The Trial Court Employment Protection and Governance Act establishes a trial court employee personnel system that provides authority to hire trial court personnel, regulates the classification and compensation of trial court employees, labor relations, and personnel files, and requires each trial court to establish a system of employment selection and advancement and an employment protection system. This bill would establish specified standards if a trial court intends to contract for any services that are currently or customarily performed by trial court employees. Among other things, the bill would require the trial court to clearly demonstrate that the contract will result in actual overall cost savings to the trial court for the duration of the entire contract as compared with the trial court's actual costs of providing the same services. The bill would require a contract for services in excess of \$100,000 annually to include specific, measurable performance standards and provisions for audits on performance and cost savings, as specified. This bill contains other existing laws.

****AB 648 (Jones-Sawyer) – Court reporters.**

Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases. For each proceeding lasting less than one hour, a fee of \$30 is required to be charged for the reasonable cost of the services of an official court reporter. Fees collected pursuant to this provision may be used only to pay for services of an official court reporter in civil proceedings. This bill would require the charge of a fee of \$30 for each proceeding lasting one hour or less in a civil action or case to offset the costs of the services of official court reporters in civil proceedings. The bill would require each party that files papers that require the scheduling of a proceeding lasting less than one hour to pay the fee, regardless of whether the party requests the presence of a court reporter. The bill would require the fee to be paid for each separate proceeding, regardless of whether the proceedings are scheduled at the same time on the same calendar. The bill would provide for the deposit of the fees collected into the Trial Court Trust Fund and would provide for the distribution of those fees, upon appropriation by the Legislature, back to the courts in which the fees were collected.

****AB 655 (Quirk-Silva) – Court reporters: salary fund.**

Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases, for the services of an official court reporter on the first and each succeeding judicial day those services are provided, as specified. Fees collected pursuant to this provision may be used only to pay for services of an official court reporter in civil

proceedings. This bill would authorize each trial court to establish a Reporters' Salary Fund for the payment of the salaries and benefits of official reporters, as specified. This bill contains other existing laws.

****AB 679 (Fox) – Fees: official court reporters.**

Existing law requires an official court reporter fee of \$30 to be charged for each proceeding lasting less than one hour. Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases, for each proceeding lasting more than one hour, in an amount equal to the actual cost of providing that service per 1/2 day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided, as specified. Existing law further requires the Judicial Council to adopt specified rules to, among other things, ensure the availability of an official court reporter, or in the absence of an official court reporter, authorize a party to arrange for the presence of a certified shorthand reporter, as specified. This bill would further require the Judicial Council to adopt rules to ensure that a party arranging for a certified shorthand reporter notifies the other parties of that fact, and that attempts to share costs for the certified shorthand reporter are made to provide better access to justice for all parties involved in the proceeding.

AB 771 (Jones) – Department of Consumer Affairs. *Spot bill**

Existing law establishes the Department of Consumer Affairs, which is comprised of various boards, commissions, and committees. Under existing law, members of specified boards, commissions, and committees who are not public officers or employees are authorized to receive per diem of \$100 for each day actually spent in the discharge of official duties and traveling and other expenses necessarily incurred in the performance of official duties. This bill would make technical, non-substantive changes to these provisions.

AB 772 (Jones) – Consumer affairs: intervention in state agency or court proceedings.

*****Spot bill**

Under existing law, when the Director of Consumer Affairs finds that a matter or proceeding before a state agency or a state or federal court may substantially affect the interests of consumers within California, he or she or the Attorney General may intervene in that matter or proceeding and present the evidence and argument that he or she determines to be necessary to protect the interests of consumers. This bill would make technical, non-substantive changes to that provision.

****AB 788 (Wagner) – Court transcripts.**

Existing law requires that transcripts prepared by a reporter using computer assistance and delivered on a medium other than paper be compensated at the same rate set for paper transcripts, except as specified. Existing law establishes certain fees for second copies of transcripts, as specified, including transcripts in computer-readable format. This bill would limit the reproduction provisions described above to computer-readable transcripts. This bill contains other existing laws.

AB 866 (Linder) – Regulations.

The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies, and for review of those regulatory actions by the Office of Administrative Law. This bill would modify the requirements that an adopting agency must meet when preparing the economic impact analysis and the standardized regulatory impact analysis.

AB 868 (Ammianao) – Courts: training programs: gender identity and sexual orientation.

Existing law requires the Judicial Council to perform various duties designed to assist the judiciary, including establishing judicial training programs for judges, referees, commissioners, mediators, and others who perform duties in family law matters. Existing law requires this training to include instruction in all aspects of family law, including the effects of gender on family law proceedings. This bill would require that training to also include the effects of gender identity and sexual orientation on family law proceedings. This bill contains other related provisions and other existing laws.

AB 894 (Mansoor) – Consumer affairs. *Spot bill**

Under existing law, the Department of Consumer Affairs is comprised of boards that license and regulate various professions and vocations. Existing law provides that these boards are established to ensure that private businesses and professions are regulated to protect the people of this state. Under existing law, the department is under the control of the Director of Consumer Affairs. The term "director" is defined for the purposes of these provisions. This bill would make a technical, non-substantive change to that provision.

AB 1013 (Gomez) – Consumer affairs.

Existing law authorizes the director or the Attorney General to intervene in a matter or proceeding pending before any state commission, regulatory agency, department, or agency, or any court, which the director finds may affect substantially the interests of consumers within California, in any appropriate manner to represent the interests of consumers. Existing law also authorizes the director, or any officer or employee designated by the director for that purpose, or the Attorney General to thereafter present evidence and argument to the agency, court of department, as specified, for the effective protection of the interests of consumers. This bill would additionally authorize any employee designated by the Attorney General to make those presentations.

AB 1017 (Gomez) – Incoming telephone calls: messages.

Existing law requires each state agency to establish a procedure pursuant to which incoming telephone calls on any public line are answered within 10 rings during regular business hours, except as specified. For purposes of this provision, "state agency" includes every state office, officer, department, division, bureau, board, and commission. This bill would require, in addition, that the procedure established by the state agency enable a caller to leave a message, as specified, and that the message be returned within 3 business days, or 72 hours, whichever is earlier.

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Support Documents:

Attachment – Text of Bills for position. (**)

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Report Originator: Yvonne Fenner, 3/15/2013

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Recommended Board Action: Direct staff if the Board wishes to support or oppose proposed legislation.

LEGISLATIVE COUNSEL'S DIGEST

SB 705, as introduced, Block. Electronic court reporting.

Existing law regulates official court reporters in the superior courts. Under existing law, a court may use electronic recording equipment in a limited civil case, or a misdemeanor or infraction case, or for the internal personnel purpose of monitoring judicial officer performance, as specified. If electronic recording equipment is used, a transcript created with that equipment may be used whenever a transcript of court proceedings is necessary. Existing law prohibits a court from expending funds for, or using, electronic recording technology or equipment to make an unofficial record of an action or proceeding, including for purposes of judicial notetaking, or to make the official record of an action or proceeding in circumstances not authorized by this provision.

This bill would provide that a court may use existing electronic recording equipment for the purpose of judicial notetaking.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 69957 of the Government Code is amended to read:

69957. (a) If an official reporter or an official reporter pro tempore is unavailable to report an action or proceeding in a court, subject to the availability of approved equipment and equipment monitors, the court may order that, in a limited civil case, or a misdemeanor or infraction case, the action or proceeding be electronically recorded, including all of the testimony, the objections made, the ruling of the court, the exceptions taken, all arraignments, pleas, and sentences of defendants in criminal cases, the arguments of the attorneys to the jury, and all statements and remarks made and oral instructions given by the judge. A transcript derived from an electronic recording may be utilized whenever a transcript of court proceedings is required. Transcripts derived from electronic recordings shall include a designation of "inaudible" or "unintelligible" for those portions of the recording that contain no audible sound or are not discernible. The electronic recording device and appurtenant equipment shall be of a type approved by the Judicial Council for courtroom use and shall ~~only~~ be purchased *only* for use as provided by this section. A court shall not expend funds for, or use, electronic recording technology or equipment to make an unofficial record of an action or proceeding, including for purposes of judicial notetaking, or to make the official record of an action or proceeding in circumstances not authorized by this section.

(b) Notwithstanding subdivision (a), a court may use electronic recording equipment for the internal personnel purpose of monitoring the performance of subordinate judicial officers, as defined in Section 71601 of the Government Code, hearing officers, and temporary judges while proceedings are conducted in the courtroom, if notice is provided to the subordinate judicial officer, hearing officer, or temporary judge, and to the litigants, that the proceeding may be recorded for that purpose. An electronic recording made for the purpose of monitoring that performance shall not be used for any other purpose and shall not be made publicly available. Any recording made pursuant to this subdivision shall be destroyed two years after the date of the proceeding unless a personnel matter is pending relating to performance of the subordinate judicial officer, hearing officer, or temporary judge.

(c) Notwithstanding subdivision (a), a court may use existing electronic recording equipment for the purpose of judicial notetaking.

~~—(e)~~

(d) Prior to purchasing or leasing any electronic recording technology or equipment, a court shall obtain advance approval from the Judicial Council, which may grant that approval only if the use of the technology or equipment will be consistent with this section.

AB 251, as amended, Wagner. Electronic court reporting.

Existing law authorizes a superior court to appoint official reporters and official reporters pro tempore as are deemed necessary for the performance of the duties of the court and its members. Existing law also authorizes a court to use electronic recording equipment to record an action or proceeding in a limited civil case, or a misdemeanor or infraction case, ~~or for the internal purpose of monitoring judicial officer performance. Existing law requires a court to obtain advance approval from the Judicial Council prior to purchasing equipment. Existing law also requires each superior court to report semiannually to the Judicial Council, and the Judicial Council to report semiannually to the Legislature, regarding all purchases and leases of electronic recording equipment that will be used to record superior court proceedings if an official reporter or an official reporter pro tempore is unavailable.~~

This bill would additionally allow a court to use electronic recording equipment in a family law case if an official reporter or an official reporter pro tempore is unavailable. —This bill would instead require the Judicial Council, by July 1, 2014, to implement electronic court reporting in 20% of all superior court courtrooms, and to implement electronic reporting in at least an additional 20% of all superior court courtrooms annually thereafter. This bill would also require the Judicial Council to report to the Governor and the Legislature on the efforts undertaken to implement electronic court reporting, as provided, by January 1, 2016. The provisions of the bill would not apply to felony cases.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 69957 of the Government Code is amended to read:*

69957. (a) If an official reporter or an official reporter pro tempore is unavailable to report an action or proceeding in a court, subject to the availability of approved equipment and equipment monitors, the court may order that, in a limited civil case, *a family law case*, or a misdemeanor or infraction case, the action or proceeding be electronically recorded, including all the testimony, the objections made, the ruling of the court, the exceptions taken, all arraignments, pleas, and sentences of defendants in criminal cases, the arguments of the attorneys to the jury, and all statements and remarks made and oral instructions given by the judge. A transcript derived from an electronic recording may be utilized whenever a transcript of court proceedings is required. Transcripts derived from electronic recordings shall include a designation of "inaudible" or "unintelligible" for those portions of the recording that contain no audible sound or are not discernible. The electronic recording device and appurtenant equipment shall be of a type approved by the Judicial Council for courtroom use and shall only be purchased for use as provided by this section. A court shall not expend funds for or use electronic recording technology or equipment to make an unofficial record of an action or proceeding, including for purposes of judicial notetaking, or to make the official record of an action or proceeding in circumstances not authorized by this section.

(b) Notwithstanding subdivision (a), a court may use electronic recording equipment for the internal personnel purpose of monitoring the performance of subordinate judicial officers, as defined in Section 71601 ~~of the Government Code~~, hearing officers, and temporary judges while proceedings are conducted in the courtroom, if notice is provided to the subordinate judicial officer, hearing officer, or temporary judge, and to the litigants, that the proceeding may be recorded for that purpose. An electronic recording made for the purpose of monitoring that performance shall not be used for any other purpose and shall not be made publicly available. Any recording made pursuant to this subdivision shall be destroyed two years after the date of the proceeding unless a personnel matter is pending relating to performance of the subordinate judicial officer, hearing officer, or temporary judge.

(c) Prior to purchasing or leasing any electronic recording technology or equipment, a court shall obtain advance approval from the Judicial Council, which may grant that approval only if the use of the technology or equipment will be consistent with this section.

~~SECTION 1. Section 69957 of the Government Code is repealed.~~

~~SEC. 2. Section 69958 of the Government Code is repealed.~~

~~SEC. 3. Section 69959 is added to the Government Code, to read:~~

~~69959. (a) Notwithstanding any other law, the Judicial Council shall, by July 1, 2014, implement electronic court reporting in 20 percent of all superior court courtrooms not currently utilizing electronic recording. The Judicial Council shall, annually thereafter, phase in electronic recording in at least an additional 20 percent of the total number of superior court courtrooms. The Judicial Council may implement electronic recording in more courtrooms if it will result in additional savings.~~

~~(b) The Judicial Council, shall, by January 1, 2016, report to the Governor and the Legislature on the efforts undertaken to implement electronic court reporting, including, but not limited to, all of the following:~~

~~(1) The costs incurred to implement electronic recording.~~

~~(2) The superior courts and case types affected by the first year of implementation.~~

~~(3) The savings achieved in the 2014-15 and 2015-16 fiscal years through the implementation of electronic recording.~~

~~(4) Future implementation plans and the superior courts or case types to be phased in during future fiscal years.~~

~~(c) References to "court reporters" and "reporter's transcript" throughout existing law, may include, where appropriate, electronic court recordings for those courts that have partially or fully implemented electronic recording.~~

~~(d) This section does not apply to felony cases.~~

~~(e) (1) The requirement for submitting a report imposed under subdivision (b) is inoperative on January 1, 2020, pursuant to Section 10231.5.~~

~~(2) A report submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795.~~

AB 365, as introduced, Mullin. Court reporting.

Existing law provides that the report of the official court reporter or official court reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of that testimony and proceeding.

This bill would require that the report be transcribed and certified by a certified shorthand reporter, as defined, in order to qualify as prima facie evidence of that testimony and proceeding.

Existing law requires that, unless the parties agree otherwise, the testimony at any deposition recorded by stenographic means shall be transcribed. If testimony at the deposition is recorded both stenographically, and by audio or video technology, the stenographic transcript is the official record of that testimony for the purpose of the trial and any subsequent hearing or appeal.

This bill would clarify that the testimony recorded stenographically at the deposition is recorded by a certified shorthand reporter, as defined.

Existing law authorizes a court to order the use of electronic recording of an action or proceeding where an official reporter or an official reporter pro tempore is unavailable to report an action or proceeding in a court in a limited civil case, a misdemeanor case, or an infraction case, as prescribed. A transcript derived from an electronic recording is authorized to be utilized whenever a transcript of court proceedings is required.

This bill would require that the electronic recording be transcribed by a certified shorthand reporter, as defined, in order to be utilized whenever a transcript of court proceedings is required.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 273 of the Code of Civil Procedure, as amended by Section 1 of Chapter 87 of the Statutes of 2009, is amended to read:

273. (a) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified *by a certified shorthand reporter*, as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of that testimony and proceedings.

(b) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. A rough draft transcript shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore. The production of a rough draft transcript shall not be required.

(c) The instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. The instant visual display of the testimony or proceedings, or both, shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore.

(d) *For purposes of this section, "certified shorthand reporter" has the same meaning as Section 8018 of the Business and Professions Code.*

—(d)

(e) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

SEC. 2. Section 273 of the Code of Civil Procedure, as added by Section 2 of Chapter 87 of the Statutes of 2009, is amended to read:

273. (a) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when transcribed and certified *by a certified shorthand reporter*, as being a correct transcript of the testimony and proceedings in the case, is prima facie evidence of that testimony and proceedings.

(b) The report of the official reporter, or official reporter pro tempore, of any court, duly appointed and sworn, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, distributed, or transcribed as the official certified transcript of the proceedings. A rough draft transcript shall not be cited or used in any way or at any time to rebut or contradict the official certified transcript of the proceedings as provided by the official reporter or official reporter pro tempore. The production of a rough draft transcript shall not be required.

(c) *For purposes of this section, "certified shorthand reporter" has the same meaning as Section 8018 of the Business and Professions Code.*

~~—(e)~~

(d) This section shall become operative on January 1, 2017.

SEC. 3. Section 2025.510 of the Code of Civil Procedure is amended to read:

2025.510. (a) Unless the parties agree otherwise, the testimony at any deposition recorded by stenographic means shall be transcribed.

(b) The party noticing the deposition shall bear the cost of that transcription, unless the court, on motion and for good cause shown, orders that the cost be borne or shared by another party.

(c) Notwithstanding subdivision (b) of Section 2025.320, any other party or the deponent, at the expense of that party or deponent, may obtain a copy of the transcript.

(d) If the deposition officer receives a request from a party for an original or a copy of the deposition transcript, or any portion thereof, and the full or partial transcript will be available to that party prior to the time the original or copy would be available to any other party, the deposition officer shall immediately notify all other parties attending the deposition of the request, and shall, upon request by any party other than the party making the original request, make that copy of the full or partial deposition transcript available to all parties at the same time.

(e) Stenographic notes of depositions shall be retained by the reporter for a period of not less than eight years from the date of the deposition, where no transcript is produced, and not less than one year from the date on which the transcript is produced. Those notes may be either on paper or electronic media, as long as it allows for satisfactory production of a transcript at any time during the periods specified.

(f) At the request of any other party to the action, including a party who did not attend the taking of the deposition testimony, any party who records or causes the recording of that testimony by means of audio or video technology shall promptly do both of the following:

(1) Permit that other party to hear the audio recording or to view the video recording.

(2) Furnish a copy of the audio or video recording to that other party on receipt of payment of the reasonable cost of making that copy of the recording.

(g) If the testimony at the deposition is recorded both stenographically *by a certified shorthand reporter*, and by audio or video technology, the stenographic transcript is the official record of that testimony for the purpose of the trial and any subsequent hearing or appeal.

(h) (1) The requesting attorney or party appearing in propria persona shall timely pay the deposition officer or the entity providing the services of the deposition officer for the transcription or copy of the transcription described in subdivision (b) or (c), and any other deposition products or services that are requested either orally or in writing.

(2) This subdivision shall apply unless responsibility for the payment is otherwise provided by law or unless the deposition officer or entity is notified in writing at the time the services or products are requested that the party or another identified person will be responsible for payment.

(3) This subdivision does not prohibit or supersede an agreement between an attorney and a party allocating responsibility for the payment of deposition costs to the party.

(4) The requesting attorney or party appearing in propria persona, upon the written request of a deposition officer who has obtained a final judgment for payment of services provided pursuant to this subdivision, shall provide to the deposition officer an address that can be used to effectuate service for the purpose of Section 708.110 in the manner specified in Section 415.10.

(i) For purposes of this section, "deposition product or service" means any product or service provided in connection with a deposition that qualifies as shorthand reporting, as described in Section 8017 of the Business and Professions Code, and any product or service derived from that shorthand reporting.

(j) For purposes of this section, "certified shorthand reporter" has the same meaning as Section 8018 of the Business and Professions Code.

SEC. 4. Section 69957 of the Government Code is amended to read:

69957. (a) If an official reporter or an official reporter pro tempore is unavailable to report an action or proceeding in a court, subject to the availability of approved equipment and equipment monitors, the court may order that, in a limited civil case, or a misdemeanor or infraction case, the action or proceeding be electronically recorded, including all the testimony, the objections made, the ruling of the court, the exceptions taken, all arraignments, pleas, and sentences of defendants in criminal cases, the arguments of the attorneys to the jury, and all statements and remarks made and oral instructions given by the judge. A transcript derived from an electronic recording *transcribed by a certified shorthand reporter* may be utilized whenever a transcript of court proceedings is required. Transcripts derived from electronic recordings shall include a designation of "inaudible" or "unintelligible" for those portions of the recording that contain no audible sound or are not discernible. The electronic recording device and appurtenant equipment shall be of a type approved by the Judicial Council for courtroom use and shall only be purchased for use as provided by this section. A court shall not expend funds for or use electronic recording technology or equipment to make an unofficial record of an action or proceeding, including for purposes of judicial notetaking, or to make the official record of an action or proceeding in circumstances not authorized by this section.

(b) Notwithstanding subdivision (a), a court may use electronic recording equipment for the internal personnel purpose of monitoring the performance of subordinate judicial officers, as defined in Section 71601 of the Government Code, hearing officers, and temporary judges while proceedings are conducted in the courtroom, if notice is provided to the subordinate judicial officer, hearing officer, or temporary judge, and to the litigants, that the proceeding may be recorded for that purpose. An electronic recording made for the purpose of monitoring that performance shall not be used for any other purpose and shall not be made publicly available. Any recording made pursuant to this subdivision shall be destroyed two years after the date of the proceeding unless a personnel matter is pending relating to performance of the subordinate judicial officer, hearing officer, or temporary judge.

(c) Prior to purchasing or leasing any electronic recording technology or equipment, a court shall obtain advance approval from the Judicial Council, which may grant that approval only if the use of the technology or equipment will be consistent with this section.

(d) For purposes of this section, "certified shorthand reporter" has the same meaning as Section 8018 of the Business and Professions Code.

AB 566, as introduced, Wieckowski. Courts: personal services contracting.

The Trial Court Employment Protection and Governance Act establishes a trial court employee personnel system that provides authority to hire trial court personnel, regulates the classification and compensation of trial court employees, labor relations, and personnel files, and requires each trial court to establish a system of employment selection and advancement and an employment protection system.

Existing law authorizes state agencies to use personal services contracts to achieve cost savings if specified standards are satisfied, including, among other things, the contract does not cause the displacement of civil service employees and the contract is awarded through a publicized, competitive bidding process. The State Personnel Board is required to review a proposed contract upon the request of an employee organization for compliance with those standards.

This bill would establish specified standards if a trial court intends to contract for any services that are currently or customarily performed by trial court employees. Among other things, the bill would require the trial court to clearly demonstrate that the contract will result in actual overall cost savings to the trial court for the duration of the entire contract as compared with the trial court's actual costs of providing the same services. The bill would require a contract for services in excess of \$100,00 annually to include specific, measurable performance standards and provisions for audits on performance and cost savings, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 71621 is added to the Government Code, to read:

71621. (a) If a trial court intends to contract for any services that are currently or customarily performed by trial court employees, all of the following requirements shall apply:

(1) The trial court shall clearly demonstrate that the contract will result in actual overall cost savings to the trial court for the duration of the entire contract as compared with the trial court's actual costs of providing the same services. In comparing costs, all of the following shall occur:

(A) The trial court's additional cost of providing the same services as proposed by the contract shall be included. These additional costs shall include the salaries and benefits of additional staff that would be needed and the cost of additional space, equipment, and materials needed to perform the services.

(B) The trial court's indirect overhead costs shall not be included unless those costs can be attributed solely to the function in question and would not exist if that function was not performed by the trial court. For purposes of this subparagraph, "indirect overhead costs" means the pro rata share of existing administrative salaries and benefits, rent, equipment costs, utilities, and materials.

(C) The cost of a contractor providing a service for any continuing trial court costs that would be directly associated with the contracted function shall be included. Continuing trial court costs shall include, but not be limited to, costs for inspection, supervision, and monitoring.

(2) The contract shall not be approved solely on the basis that savings will result from lower contractor pay rates or benefits. Contracts shall be eligible for approval if the contractor's wages are at the industry's level and do not undercut trial court pay rates.

(3) The contract shall not cause an existing trial court employee to incur a loss of his or her employment or employment seniority, a reduction in wages, benefits, or hours, or an involuntary transfer to a new location requiring a change in residence.

(4) The contract shall be awarded through a publicized, competitive bidding process.

(5) The contract shall include specific provisions pertaining to the qualifications of the staff that will perform the work under the contract, as well as assurances that the contractor's hiring practices meet applicable nondiscrimination standards.

(6) The contract shall provide that it may be terminated at any time by the trial court without penalty if there is a material breach of the contract and notice is provided within 30 days of termination.

(7) If the contract is for services in excess of one hundred thousand dollars (\$100,000) annually, all of the following shall occur:

(A) The trial court shall require the contractor to disclose all of the following information as part of its bid, application, or answer to a request for proposal:

(i) A description of all charges, claims, or complaints filed against the contractor with a federal, state, or local administrative agency during the prior 10 years.

(ii) A description of all civil complaints filed against the contractor in a state or federal court during the prior 10 years.

(iii) A description of all state or federal criminal complaints or indictments filed against the contractor, or any of its officers, directors, or managers, at any time.

(iv) A description of any debarments of the contractor by a public agency or licensing body at any time.

(B) The trial court shall include in the contract specific, measurable performance standards and provisions for a performance audit by the trial court, or an independent auditor approved by the trial court, to determine whether the performance standards are being met and whether the contractor is in compliance with applicable laws and regulations. The trial court shall not renew or extend the contract prior to receiving and considering the audit report.

(C) The contract shall include provisions for an audit by the trial court, or an independent auditor approved by the trial court, to determine whether and to what extent the anticipated cost savings have actually been realized. The trial court shall not renew or extend the contract before receiving and considering the audit report.

(8) The term of the contract shall not be more than five years from the date on which the trial court approves the contract.

(b) This section does not preclude a trial court or the Judicial Council from adopting more restrictive rules regarding the contracting of court services.

AB 648, as introduced, Jones-Sawyer. Court reporters.

Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases. For each proceeding lasting less than one hour, a fee of \$30 is required to be charged for the reasonable cost of the services of an official court reporter. Fees collected pursuant to this provision may be used only to pay for services of an official court reporter in civil proceedings.

This bill would require the charge of a fee of \$30 for each proceeding lasting one hour or less in a civil action or case to offset the costs of the services of official court reporters in civil proceedings. The bill would require each party that files papers that require the scheduling of a proceeding lasting less than one hour to pay the fee, regardless of whether the party requests the presence of a court reporter. The bill would require the fee to be paid for each separate proceeding, regardless of whether the proceedings are scheduled at the same time on the same calendar. The bill would provide for the deposit of the fees collected into the Trial Court Trust Fund and would provide for the distribution of those fees, upon appropriation by the Legislature, back to the courts in which the fees were collected.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 68086 of the Government Code is amended to read:

68086. ~~(a)~~ - The following provisions apply in superior court:

~~—(1)~~

(a) In addition to any other fee required in civil actions or cases:

~~—(A)~~

(1) For each proceeding lasting ~~less than one hour or less~~, a fee of thirty dollars (\$30) shall be charged ~~for the reasonable cost to offset the costs~~ of the services of ~~an~~ official court ~~reporter~~ *reporters in civil proceedings* pursuant to Section 269 of the Code of Civil Procedure.

(A) Each party that files papers that require the scheduling of a proceeding described in this paragraph shall pay the fee, regardless of whether the party requests the presence of a court reporter. The fee shall be paid for each separate proceeding, regardless of whether the proceedings are scheduled at the same time on the same calendar. For case management conferences, mandatory settlement conferences, and other proceedings initiated by the court, the fee shall be paid by the party requesting a court reporter.

(B) The court shall require the fee to be paid at the time the party files its papers or no later than the conclusion of the court session on the day of the proceeding. The fee shall be nonrefundable unless, due to unforeseen circumstances, the court is unable to provide a court reporter at the scheduled proceeding.

(C) The fees shall be deposited into the Trial Court Trust Fund and, upon appropriation by the Legislature, distributed back to the courts in which the fees were collected.

~~—(B)~~

(2) For each proceeding lasting more than one hour, a fee equal to the actual cost of providing that service shall be charged per one-half day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided pursuant to Section 269 of the Code of Civil Procedure.

~~—(2)~~

(b) All parties shall deposit their pro rata shares of these fees with the clerk of the court as specified by the court, but not later than the conclusion of each day's court session.

~~—(3)~~

(c) For purposes of this section, "one-half day" means any period of judicial time, in excess of one hour, but not more than four hours, during either the morning or afternoon court session.

~~—(4)~~

(d) The costs for the services of the official court reporter shall be recoverable as taxable costs by the prevailing party as otherwise provided by law.

~~—(5)~~

(e) The Judicial Council shall adopt rules to ensure all of the following:

~~—(A)~~

(1) That parties are given adequate and timely notice of the availability of an official court reporter.

~~—(B)~~

(2) That if an official court reporter is not available, a party may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter, the costs therefore recoverable as provided in ~~paragraph (4)~~ subdivision (d) .

~~—(C)~~

(3) That if the services of an official pro tempore reporter are utilized pursuant to ~~subparagraph (B)~~ paragraph (2) , no other charge shall be made to the parties.

~~—(b)~~

(f) The fees collected pursuant to this section shall be used only to pay the cost for services of an official court reporter in civil proceedings.

(g) *It is the intent of the Legislature to provide an incentive for courts to use the services of an official court reporter in civil proceedings.*

~~—(e)~~

(h) The Judicial Council shall report on or before February 1 of each year to the Joint Legislative Budget Committee on the fees collected by courts pursuant to this section and Section 68086.1 and on the total amount spent for services of official court reporters in civil proceedings statewide in the prior fiscal year.

AB 655, as introduced, Quirk-Silva. Court reporters: salary fund.

Existing law provides for the appointment of official reporters of the courts, and prescribes the fees and compensation for reporting services. Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases, for the services of an official court reporter on the first and each succeeding judicial day those services are provided, as specified. Fees collected pursuant to this provision may be used only to pay for services of an official court reporter in civil proceedings.

Existing law, applicable to proceedings in the Los Angeles County Superior Court, directs specified amounts to be set aside from the revenue of the court, including fees for reporting services payable by the parties, for deposit in the Reporters' Salary Fund. Existing law requires the salaries and benefits of official reporters to be paid from the fund, and authorizes the per diem fees and benefits of official reporters pro tempore to be paid from that fund.

This bill would authorize each trial court to establish a Reporters' Salary Fund for the payment of the salaries and benefits of official reporters, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 9.5 (commencing with Section 73000) is added to Title 8 of the Government Code, to read:

CHAPTER 9.5. REPORTERS' SALARY FUND

73000. Each trial court may establish a Reporters' Salary Fund.

73002. The salaries and benefits of official reporters shall be paid from the Reporters' Salary Fund.

73004. (a) Fees for reporting services payable by law by the parties to proceedings in the court to official reporters shall be paid to the clerk of the court, who shall deposit them in the Reporters' Salary Fund.

(b) Fees for transcription of testimony and proceedings in the court shall be paid by the parties to official reporters as otherwise provided by law, and in all cases where by law the court may direct the payment of transcription fees out of the Trial Court Operations Fund, the fee on order of the court shall be paid from the Reporters' Salary Fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the Trial Court Operations Fund.

73008. (a) Notwithstanding any other law, there shall be set aside from the revenue of the court a revolving fund in the amount of _____ dollars (\$_____). The fund shall be known as the Reporters' Salary Fund.

(b) At the time of each monthly distribution of the revenue of the court to the appropriate state or county funds as required by law, the clerk of the court shall deduct proportionately, the sum as will, when added to the sum then remaining in the fund, equal _____ dollars (\$_____) and deposit it in the fund.

73010. If at any time the Reporters' Salary Fund is insufficient, on order of the court the amount of the deficiency shall be paid from the Trial Court Operations Fund for that court.

AB 679, as introduced, Fox. Fees: official court reporters.

Existing law requires an official court reporter fee of \$30 to be charged for each proceeding lasting less than one hour. Existing law requires the charge of an official court reporter fee, in addition to any other fee required in civil actions or cases, for each proceeding lasting more than one hour, in an amount equal to the actual cost of providing that service per 1/2 day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided, as specified. Existing law further requires the Judicial Council to adopt specified rules to, among other things, ensure the availability of an official court reporter, or in the absence of an official court reporter, authorize a party to arrange for the presence of a certified shorthand reporter, as specified.

This bill would further require the Judicial Council to adopt rules to ensure that a party arranging for a certified shorthand reporter notifies the other parties of that fact, and that attempts to share costs for the certified shorthand reporter are made to provide better access to justice for all parties involved in the proceeding.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 68086 of the Government Code is amended to read:

68086. (a) The following provisions apply in superior court:

(1) In addition to any other fee required in civil actions or cases:

(A) For each proceeding lasting less than one hour, a fee of thirty dollars (\$30) shall be charged for the reasonable cost of the services of an official court reporter pursuant to Section 269 of the Code of Civil Procedure.

(B) For each proceeding lasting more than one hour, a fee equal to the actual cost of providing that service shall be charged per one-half day of services to the parties, on a pro rata basis, for the services of an official court reporter on the first and each succeeding judicial day those services are provided pursuant to Section 269 of the Code of Civil Procedure.

(2) All parties shall deposit their pro rata shares of these fees with the clerk of the court as specified by the court, but not later than the conclusion of each day's court session.

(3) For purposes of this section, "one-half day" means any period of judicial time, in excess of one hour, but not more than four hours, during either the morning or afternoon court session.

(4) The costs for the services of the official court reporter shall be recoverable as taxable costs by the prevailing party as otherwise provided by law.

(5) The Judicial Council shall adopt rules to ensure all of the following:

(A) That parties are given adequate and timely notice of the availability of an official court reporter.

(B) That if an official court reporter is not available, a party may arrange for the presence of a certified shorthand reporter to serve as an official pro tempore reporter, the costs therefore recoverable as provided in paragraph (4).

(C) That if a party arranges for the presence of a certified shorthand reporter pursuant to subparagraph (B), the arranging party notifies the other parties that a certified shorthand reporter will be present.

(D) That attempts to share costs for the presence of a certified shorthand reporter pursuant to subparagraph (B) are made to provide better access to justice for all involved in the proceeding.

~~—(G)~~

(E) That if the services of an official pro tempore reporter are utilized pursuant to subparagraph (B), no other charge shall be made to the parties.

(b) The fees collected pursuant to this section shall be used only to pay the cost for services of an official court reporter in civil proceedings.

(c) The Judicial Council shall report on or before February 1 of each year to the Joint Legislative Budget Committee on the fees collected by courts pursuant to this section and Section 68086.1 and on the total amount spent for services of official court reporters in civil proceedings statewide in the prior fiscal year.

AB 788, as introduced, Wagner. Court transcripts.

Existing law requires that transcripts prepared by a reporter using computer assistance and delivered on a medium other than paper be compensated at the same rate set for paper transcripts, except as specified. Existing law establishes certain fees for second copies of transcripts, as specified, including transcripts in computer-readable format.

Existing law authorizes a court, party, or person who has purchased a transcript to reproduce a copy or portion thereof as an exhibit, pursuant to court order or rule, or for internal use, without paying a further fee to the reporter, but prohibits otherwise providing or selling a copy or copies to any other party or person.

This bill would limit the reproduction provisions described above to computer-readable transcripts.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 69954 of the Government Code is amended to read:

69954. (a) Transcripts prepared by a reporter using computer assistance and delivered on a medium other than paper shall be compensated at the same rate set for paper transcripts, except the reporter may also charge an additional fee not to exceed the cost of the medium or any copies thereof.

(b) The fee for a second copy of a transcript on appeal in computer-readable format ordered by or on behalf of a requesting party within 120 days of the filing or delivery of the original transcript shall be compensated at one-third the rate set forth for a second copy of a transcript as provided in Section 69950. A reporter may also charge an additional fee not to exceed the cost of the medium or any copies thereof.

(c) The fee for a computer-readable transcript shall be paid by the requesting court, party, or person, unless the computer-readable transcript is requested by a party in lieu of a paper transcript required to be delivered to that party by the rules of court. In that event, the fee shall be chargeable as statute or rule provides for the paper transcript.

(d) Any court, party, or person who has purchased a *computer-readable* transcript may, without paying a further fee to the reporter, reproduce a copy or portion thereof as an exhibit pursuant to court order or rule, or for internal use, but shall not otherwise provide or sell a copy or copies to any other party or person.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM IX – Update on Gift Giving Regulations

California Code of Regulations, Title 16, Section 2475(a)(8)

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Agenda Description: Possible Action

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Brief Summary:

At the October 27, 2011 Board meeting a petition from the Deposition Reporters Association (DRA) to clarify section 2475(a)(8) was granted, specifically sub (A), giving or receiving items that do not exceed \$100 (in the aggregate for any combination of items given and/or received) per above-described person or entity per calendar year.

The regulatory process was initiated and the public comment period ended at 5:00 p.m. on Monday, October 1, 2012. The Board received additional comments from DRA at the October 12, 2012 Board meeting, and staff was directed to bring back proposed amendments to the next Board meeting. Attachment 1 shows the amendments. Following is the proposed language in final format:

Title 16. Professional and Vocational Regulations

Division 24. Certified Shorthand Reporters Board

Article 8. Denial, Suspension and Revocation of Certificates

§ 2475. Professional Standards of Practice.

(a) Consistent with any action that may be taken by the Board pursuant to Sections 8025 and 8025.1 of the Code, the Board may cite a business that renders professional services, namely shorthand reporting services, within the meaning of Corporations Code section 13401 or cite or discipline any certificate holder, including suspending, revoking, or denying the certification of a certified shorthand reporter, for violation of professional standards of practice.

(b) Every person under the jurisdiction of the Board who holds a license or certificate, or temporary license or certificate, or business that renders professional services, namely shorthand reporting services, within the meaning of Corporations Code section 13401, shall comply with the following professional standards of practice:

(1) Make truthful and accurate public statements when advertising professional qualifications and competence and/or services offered to the public.

(2) Maintain confidentiality of information which is confidential as a result of rule, regulation, statute, court order, or deposition proceedings.

(3) Perform professional services within the scope of one's competence, including promptly notifying the parties present or the presiding officer upon determining that one is not competent to continue an assignment. A licensee may continue to report proceedings after such notification upon stipulation on the record of all parties present or upon order of the presiding officer.

(4) Comply with legal and/or agreed-to delivery dates and/or provide prompt notification of delays.

(5) In addition to the requirements of Section 2025.220(a)(5) of the Code of Civil Procedure, promptly notify, when reasonably able to do so, all known parties in attendance at a deposition or civil court proceeding and/or their attorneys of a request for preparation of all or any part of a transcript, including a rough draft, in electronic or paper form. No such notification is necessary when the request is from the court.

(6) Act without bias toward, or prejudice against, any parties and/or their attorneys.

(7) Not enter into, arrange, or participate in a relationship that compromises the impartiality of the certified shorthand reporter, including, but not limited to, a relationship in which compensation for reporting services is based upon the outcome of the proceeding.

(8) Other than the receipt of compensation for reporting services, neither directly or indirectly give nor receive any gift, incentive, reward, or anything of value to or from any person or entity associated with a proceeding being reported. Such persons or entities shall include, but are not limited to, attorneys or an attorney's family members, employees of attorneys or an employee's family members, law firms as single entities, clients, witnesses, insurers, underwriters, or any agents or representatives thereof. Exceptions to the foregoing restriction shall be as follows: (A) giving or receiving items that do not exceed \$100 (in the aggregate for any combination of items given and/or received) per calendar year to or from an attorney or an attorney's family members, an employee of an attorney or an employee's family members, a law firm as a single entity, a client, a witness, an insurer, an underwriter, or any agent or representative thereof; or (B) providing services without charge for which the certified shorthand reporter reasonably expects to be reimbursed from the Transcript Reimbursement Fund, Sections 8030 et seq. of the Code, or otherwise for an "indigent person" as defined in Section 8030.4(f) of the Code.

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Support Documents:

Attachment – Amended originally proposed language tracking changes.

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Report Originator: Yvonne Fenner, 3/12/2013
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Recommended Board Action: Staff recommends the Board move to approve the proposed modified text for a 15-day comment period and delegate to the executive officer the authority to adopt the proposed regulatory changes as modified if there are no adverse comments received during the public comment period and also delegate to the executive officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file.

Proposed Changes

Title 16. Professional and Vocational Regulations
Division 24. Certified Shorthand Reporters Board
Article 8. Denial, Suspension and Revocation of Certificates
§ 2475. Professional Standards of Practice

***Note: Originally proposed additions are underlined. Originally proposed deletions are shown with a ~~strike~~through. Amended additions to the originally proposed language are double underlined and in **bold**. Amended deletions to the originally proposed language are shown with a ~~double strike~~through and in **bold**.*

(a) Consistent with any action that may be taken by the Board pursuant to Sections 8025 and 8025.1 of the Code, the Board may cite a **business that renders professional services, namely shorthand reporting services, within the meaning of Corporations Code section 13401** or cite or discipline any certificate holder, including suspending, revoking, or denying the certification of a certified shorthand reporter, for violation of professional standards of practice.

(b) Every person under the jurisdiction of the Board who holds a license or certificate, or temporary license or certificate, or business that renders professional services, **namely shorthand reporting services**, within the meaning of Corporations Code section 13401, shall comply with the following professional standards of practice:

(1) Make truthful and accurate public statements when advertising professional qualifications and competence and/or services offered to the public.

(2) Maintain confidentiality of information which is confidential as a result of rule, regulation, statute, court order, or deposition proceedings.

(3) Perform professional services within the scope of one's competence, including promptly notifying the parties present or the presiding officer upon determining that one is not competent to continue an assignment. A licensee may continue to report proceedings after such notification upon stipulation on the record of all parties present or upon order of the presiding officer.

(4) Comply with legal and/or agreed-to delivery dates and/or provide prompt notification of delays.

(5) In addition to the requirements of Section 2025.220(a)(5) of the Code of Civil Procedure, promptly notify, when reasonably able to do so, all known parties in attendance at a deposition or civil court proceeding and/or their attorneys of a request for preparation of all or any part of a transcript, including a rough draft, in electronic or paper form. No such notification is necessary when the request is from the court.

(6) Act without bias toward, or prejudice against, any parties and/or their attorneys.

(7) Not enter into, arrange, or participate in a relationship that compromises the impartiality of the certified shorthand reporter, including, but not limited to, a relationship in which compensation for reporting services is based upon the outcome of the proceeding.

(8) Other than the receipt of compensation for reporting services ~~by any reporter or any entity providing the reporting services of a licensed shorthand reporter,~~ neither directly or indirectly give nor receive any gift, incentive, reward, or anything of value to or from any person or entity associated with a proceeding being reported ~~and/or any entity providing reporting services.~~ Such persons or entities shall include, but are not limited to, attorneys or an attorney's family members, ~~law firms,~~ employees of attorneys or an employee's family members, ~~law firms as single entities,~~ clients, witnesses, insurers, underwriters, or any agents or representatives thereof. Exceptions to the foregoing restriction shall be as follows: (A) giving or receiving items that do not exceed \$100 (in the aggregate for any combination of items given and/or received) ~~per above-described person or entity per calendar year~~ to or from an attorney or an attorney's family members, an employee of an attorney or an employee's family members, a law firm as a single entity, a client, a witness, an insurer, an underwriter, or any agent or representative thereof; or (B) providing services without charge for which the certified shorthand reporter reasonably expects to be reimbursed from the Transcript Reimbursement Fund, Sections 8030 et seq. of the Code, or otherwise for an "indigent person" as defined in Section 8030.4(f) of the Code.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM X – Scope of Practice Regulation

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Agenda Description: Possible Action

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Brief Summary:

At the October 12, 2012 meeting, the Board discussed the issue of corporations providing court reporting services without authorization, a situation that came to the Board's attention as a result of the US Legal litigation. The Board discussed different possible ways to address the situation. (See minutes for full summary.) Staff was directed to explore an injunction as well as to institute town hall meetings in order to develop proposed language to flesh out the definition of scope of practice of shorthand reporting.

In light of strict travel prohibitions, staff was unable to convene the requested town hall meetings. The following regulatory language has been developed and is offered for the Board's review and input.

Scope of Practice

The accurate transcription thereof includes, but is not limited to:

(a) In superior court

- (1) Taking down in shorthand all testimony, objections made, rulings of the court, exceptions taken, arraignments, pleas, sentences, arguments of the attorneys to the jury and statements and remarks made and oral instructions given by the judge or other judicial official.
- (2) Writing the transcript out, or the specific portions thereof as may be requested, in plain and legible longhand, or by typewriter, or other printing machine.
- (3) Certifying that the transcripts were correctly reported and transcribed.
- (4) Filing the transcripts with the clerk of the court when directed by the court.
- (5) Making and preparing original transcription on paper.
- (6) Delivering a copy of the original transcript in a computer-readable form in standard ASCII code, unless otherwise agreed by the reporter and the court, party, or other person requesting the transcript.
- (7) Labeling disks of transcripts with the case name and court number, the dates of proceedings contained on the disk, and the page and volume numbers of the data contained on the disk and with each disk containing the identical volume divisions, pagination, line numbering, and text of the certified original paper transcript or any portion thereof and sequentially numbered within the series of disks.

(b) For a deposition

- (1) Administering the oath or affirmation to the deponent.
- (2) Making a full or partial copy of transcription available.
- (3) Notifying all parties attending deposition of requests made by other parties of made for copies.
- (4) Retaining stenographic notes of depositions for statutorily mandated period of time.
- (5) Sending written notice to deponent and to all parties attending the deposition when the original transcript of the testimony is available for reading, correcting and signing, unless previously waived.
- (6) Indicating on the original of the transcript if the deponent has not already done so at the office of the shorthand reporter, any action taken by the deponent and indicate on the original of the transcript, the deponent's approval of, or failure or refusal to approve the transcript.
- (7) Sending written notification to the parties attending the deposition of any changes which the deponent timely made in person.
- (8) Certifying on the transcript, or in a writing accompanying an audio or video record of the deposition, that the deponent was duly sworn and that the transcript or recording is a true record of the testimony given.
- (9) Securely sealing the transcript in an envelope or package endorsed with the title of the action and marked: "Deposition of (here insert name of deponent)," and shall promptly transmit it to the attorney for the party who noticed the deposition.
- (10) Making audio or video recording of a deposition testimony, available to any person requesting a copy, on payment of a reasonable charge.

(Authority cited BPC sections 8007, 8017; Reference BPC sections 8007, 8017, CCP sections 269, 271, 273, 2025.321, 2025.330, 2025.510, 2025.520, 2025.540)

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Report Originator: Yvonne Fenner, 3/8/2013
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Recommended Board Action: Staff recommends the Board move to approve the proposed (or modified) text for a 45-day comment period and delegate to the executive officer the authority to adopt the proposed regulatory changes as modified if there are no adverse comments received during the public comment period and also delegate to the executive officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM XI – Public Comment

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Public members are encouraged to provide their name and organization (if any).
The Board cannot discuss any item not listed on this agenda, but can consider
items presented for future board agendas.

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM XII – Future Meeting Dates

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Agenda Description: Proposed Meeting Dates.

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Support Documents:

Attachment – 2013 Board Calendar

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Current scheduled activities:

CSR Dictation Exam:

July 19, 2013 – Los Angeles

November 15, 2013 – Sacramento

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Recommended Board Action: Information exchange.

A YEAR-AT-A-GLANCE CALENDAR 2013
COURT REPORTERS BOARD OF CALIFORNIA

JANUARY 2013

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6	7	8	9	10	11	12
13	14	15	16	17	18	19
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FEBRUARY 2013

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MARCH 2013

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APRIL 2013

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MAY 2013

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JULY 2013

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AUGUST 2013

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SEPTEMBER 2013

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OCTOBER 2013

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NOVEMBER 2013

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DECEMBER 2013

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ACTIVITY

	BD - Board Meeting or Activity
	Exam - Dictation Exam
	Workshop - Exam Workshop
	TF - Task Force Meeting
	Shaded Dates - Board Office is Closed

CITY

LA-LOS ANGELES	SAC-SACRAMENTO
SD-SAN DIEGO	SF-SAN FRANCISCO
GENERAL LOCATION	
NC-NORTHERN CALIFORNIA	
SC-SOUTHERN CALIFORNIA	

COURT REPORTERS BOARD MEETING – MARCH 29, 2013

AGENDA ITEM XIII – Closed Session

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Agenda Description:

Personnel Matters, Disciplinary Matters and Pending Litigation (As Needed)
[Pursuant to Government Code, sections 11126(a), and section 11126(e)(2)(A)]

A. Executive Officer

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Fiscal Impact: None

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Report Originator: Paula Bruning, 3/7/2013

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Recommended Board Action: Decision needed on each enforcement matter presented, if any.